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ABSTRACT

This manual's purpose is to provide technical assistance to educators regarding their obligations under Section 504 of the Rehabilitation Act of 1973, which protects persons participating in federally funded programs and activities from discrimination based upon their disability status. An introduction outlines the three major areas of emphasis of Section 504 and presents the definition of "disabled". The manual then presents definitions of relevant terms and examples of persons who are possibly eligible under Section 504. Responsibilities of the school district are reviewed, including provision of a free appropriate education, employment practices, and program accessibility. Section 504 is then compared with the Individuals with Disabilities Education Act; a question-and-answer section on Section 504 issues is presented; and sample policies and forms are provided. Appendices contain information for inservice education, the text of Section 504, Uniform Federal Accessibility Standards, and Section 504 compliance self-evaluation procedures. (JDD)

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July 20, 1992

The purpose of the **SECTION 504 GUIDELINES FOR EDUCATORS** manual, as reviewed in specific detail in the Introduction Section, is to provide technical assistance to education staff regarding their obligations under Section 504 Of The Rehabilitation Act Of 1973: Handicapped Persons' Rights Under Federal Law.

This document represents the collaborative effort of representatives of the public schools, the Utah State Office of Education and the Mountain Plains Regional Resource Center.

I welcome and endorse any resource that can assist educators in becoming more knowledgeable in recognizing the sometimes subtle differences and relationships between Section 504, Individuals with Disabilities Education Act (IDEA), and the new Americans with Disabilities Act (ADA), as they make service provision decisions for students with special needs.

This is a "working draft" for school year 1992-93. As you use it, you're invited to note any recommendations for improvement and submit them to the Section 504 Monitoring Officer, Utah State Office of Education.

Sincerely,

Scott W. Bean

Scott W. Bean, State Superintendent of
Public Instruction

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Contents

Table of Sections and Appendices

I. Introduction: An Overview of this Document 7

II. Definitions: Terms Relative to Section 504 11

III. Examples: Possibly Eligible Persons Under Section 504 13

IV. Obligations: Responsibilities of the School District 15

V. Comparison: Section 504 and the Individuals with Disabilities Education Act (IDEA) 31

VI. Q & A: Section 504 Issues 39

VII. Samples: Policies and Forms 45

IX. Appendices 71

- A. Training Overheads
- B. Section 504 of the Rehabilitation Act of 1973
- C. Uniform Federal Accessibility Standards (UFAS)
- D. Section 504 Self-Evaluation

X. Acknowledgments

XI. Suggestions

5

6

Introduction

An Overview of this Document

With passage of the Rehabilitation Act of 1973, Congress required that federal fund recipients make their programs and activities accessible to all individuals with disabilities. "No qualified individual with disabilities, shall, solely by reason of her or his disability be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance."

Section 504 protects persons from discrimination based upon their disability status. A person is disabled within the definition of Section 504 if he or she:

1. *has a mental or physical impairment which substantially limits one or more of such person's major life activities;*

2. *has a record of such impairments; or*

3. *is regarded as having such an impairment.*

"Major life activities" include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. When a condition does not substantially limit a major life activity, the individual does not qualify under Section 504.

Section 504 has three major areas of emphasis: employment practices, program accessibility, and requirements for preschool, elementary, and secondary education.

SUBPART A: GENERAL PROVISIONS

This section outlines the responsibilities of public agencies who receive federal funds in regards to non-discrimination of individuals with disabilities. No person should on the basis of a disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program which benefits from federal funding.

ALL PUBLIC AGENCIES MUST COMPLY WITH THE FOLLOWING REQUIREMENTS:

- Provide written assurances of non-discrimination when applying for federal funds;
- Take steps to eliminate discrimination against individuals with disabilities;
- Conduct a self -evaluation of their programs and activities to ensure discriminatory practices are eliminated;
- Appoint a 504 coordinator for schools with 15 or more employees and;
- Provide public notice regarding non-discrimination.

SUBPART B: EMPLOYMENT PRACTICES

With respect to employment, a qualified person with disabilities is a person who, with reasonable accommodations, can perform the essential functions of the job in question.

The regulation prohibits discrimination of all employment related decisions in federally assisted programs, including, but not limited to, recruitment, hiring, promotion, award of tenure, layoff and rehiring, compensation, job assignments, leave, fringe benefits, training, and employer sponsored activities.

For the purposes of this document the word "disabled" will be used instead of "handicapped".

SUBPART C: PROGRAM ACCESSIBILITY

No qualified person with a disability shall be denied the benefits of, be excluded from participation in, or be otherwise subjected to discrimination under any program or activity because facilities are inaccessible or unusable.

SUBPART D: REQUIREMENTS FOR PRESCHOOL, ELEMENTARY, AND SECONDARY EDUCATION.

Elementary and secondary school recipients operating preschool and adult education programs must take into account the needs of qualified persons with disabilities in determining the aid, benefits, or services to be provided under these programs or activities.

RESPONSIBILITY

There has been much confusion over the years regarding the relationship between Section 504 and special education laws and regulations. It must be emphasized that Section 504 falls under the *responsibility of the regular education program.* The school staff and parents need to work in collaboration to help guarantee that the student is provided with the necessary accommodations and/or services. A student who is found to be disabled under Section 504 should be served by the staff and resources of the regular education program. The exception to this standard would be a student who has been determined eligible as disabled under the Individuals with Disabilities Education Act (IDEA). Such a student could receive special education and accommodations required under Section 504.

ELIGIBILITY

If a district has reason to believe that, because of a disability as defined under Section 504, a student needs special accommodations or services in the regular setting in order to participate in the school program, the district must evaluate the student. If it is determined that the student is disabled under Section 504, the district must develop and implement the delivery of all needed services and/or accommodations.

SERVICES

The determination of what services and/or accommodations are needed must be made by a group of persons knowledgeable about the student. *The parents should be included in this process whenever possible.*

The group must review the nature of the disability and how it affects the student's education. The decisions about Section 504 eligibility and services must be documented in the student's file and reviewed periodically.

In summary, it is important to keep in mind that some students who have physical or mental conditions that limit their ability to access and participate in the education program are entitled to rights under Section 504 even though they may not fall into IDEA categories and may not be covered by the special education law.

The purpose of this document is to provide technical assistance to regular education staff and parents regarding their obligations under Section 504 and give an overview of the Americans With Disabilities Act.

10

Definitions

Terms Relative to Section 504

ACCOMMODATIONS — adjustments or modifications made by classroom teacher(s) and other school staff to enable the students to benefit from their educational program. In some cases a plan should be developed outlining services and/or accommodations.

BARRIER-FREE ENVIRONMENT — a school environment that contains no obstacles to accessibility and usability by students with disabilities. Barriers can be physical and non-physical.

CONTAGIOUS DISEASES PROTECTED UNDER 504 — Contagious diseases are those that can be transmitted from person to person. Included are such diseases as AIDS and tuberculosis.

DISABLED (HANDICAPPED) — any student who 1) has a physical or mental impairment which substantially limits one or more major life activities, 2) has a record of such an impairment, or 3) is regarded as having such an impairment.

IDEA — Individuals with Disabilities Education Act. Federal special education law and regulations. Amended the Education for All Handicapped Children Act (P.L. 94-142).

MAJOR LIFE ACTIVITY — functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

OFFICE OF CIVIL RIGHTS (OCR) — has three primary responsibilities; investigating complaints, conducting compliance reviews, and providing technical assistance. There are ten regional offices located throughout the United States. The regional office for Utah is in Denver, Colorado. Region VIII (Colorado, Montana, North Dakota, South Dakota, Utah, and Wyoming), Office of Civil Rights, 1244 Speer Blvd., Suite 310, Denver, CO 80204-3582, (303) 844-5695, and (303) 844-3417 (TDD).

PHYSICAL OR MENTAL IMPAIRMENT — (1) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genitourinary; hemic and lymphatic; skin; and endocrine; or (2) any mental or physical disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

The term "physical or mental impairment" includes, but is not limited to, such diseases and conditions as orthopedic, visual, speech, and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, drug addiction, and alcoholism.

PROGRAM ACCESSIBILITY — Each school district will ensure programs and activities are accessible to and usable by persons with disabilities. In many instances, programs and activities may be made accessible through slight modifications and adjustments in procedures, practices, and policies. In others, building renovation or construction may be required. But structural change is required only in instances where program accessibility cannot be achieved effectively through other means.

PROGRAM OR ACTIVITY — in the context of Section 504, this includes all operations of state and local agencies that receive federal funds. This includes colleges, universities, and/or school systems.

PUBLIC NOTICE — all school districts are required to provide public notice and internal notice (i.e., to staff and students) stating they do not discriminate on the basis of a disability.

REASONABLE ACCOMMODATION — school districts are required to make adjustments to allow for known physical or mental limitations of a student with disabilities.

SECTION 504 — the part of the Rehabilitation Act of 1973 that guarantees specific rights in federally funded programs and activities to people who qualify as disabled. Section 504 states: "No otherwise qualified handicapped individual in the United States... shall, solely by reason of his handicap be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance..." (See Appendix).

SECTION 504 COORDINATOR — school districts employing 15 or more persons must assign a person to coordinate compliance with Section 504 regulations. It is recommended that all school districts appoint a 504 Coordinator.

SELF-EVALUATION — Section 504 requires that federal fund recipients evaluate their programs, physical accessibility, and employment practices to determine the extent to which programs and activities require modification to ensure full participation by students with disabilities. These evaluations should be updated frequently.

TRANSITION — if a recipient determines that structural modifications are necessary to meet Section 504 program accessibility requirements, the school must develop a plan specifying the steps necessary to complete such changes and the time frame for completion. The document containing these steps and a recipient's schedule for making structural changes is termed "transition plan." This Transition Plan should not be confused with a "transition plan" under IDEA which outlines an individual student's transition goals and objectives on the IEP.

UNIFORM FEDERAL ACCESSIBILITY STANDARDS (UFAS) — UFAS are the standards the federal government uses to meet Section 504's accessibility requirements for the design, construction and alteration of buildings (See Appendix).

Examples

Possibly Eligible Persons Under Section 504

ATTENTION DEFICIT DISORDER (ADD) AND ATTENTION DEFICIT HYPERACTIVE DISORDER (ADHD) — The student does not meet eligibility requirements under IDEA as emotionally disturbed or learning disabled. The student is regarded as having a disability (ADD) by a doctor. The disability limits the major life activity of learning.

ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)- The student frequently misses school and does not have the strength to attend a full day. This student has a record of a disability which substantially limits the life activities of learning and working.

ARTHRITIS — A student with arthritis may have persistent pain, tenderness or swelling in one or more joints. A student experiencing arthritic pain may require a modified physical education program.

ASTHMA — A student has been diagnosed as having asthma. The doctor has advised the student not to participate in physical activity outdoors. The disability limits the major life function of breathing. The school is required to make reasonable accommodations in the physical education program.

CANCER — A student with a long term medical problem may be given considerations to accommodate special needs. For example, a student with cancer may need a class schedule that allows for rest and recuperation following chemotherapy.

EMOTIONALLY DISTURBED — A student who is emotionally disturbed may need an adjusted class schedule to allow time for regular counseling or therapy.

HOMEBOUND — A student was in an automobile accident and will require homebound services for three months. The student is considered disabled under Section 504 and should receive special accommodations.

PARENT WITH HEARING IMPAIRMENT — A parent is hearing impaired and requests access to school sponsored activities. The school district makes accommodations by providing interpreter services for the parent to participate effectively in school sponsored events or meetings about the student.

OBESITY — A student has an extreme eating disorder that may require special accommodations. Obesity may be considered a disability under Section 504 where it substantially impairs a major life activity or is perceived by others as doing so.

STUDENT WITH SPECIAL HEALTH CARE NEEDS — The student has a special health care concern; and requires clean intermittent catheterization twice each day. This procedure empties the bladder and helps prevent urinary tract infections and possible wetting. The school is required to provide trained personnel to perform the procedure, or to provide the student a private location to perform the procedure.

SCHOOL EMPLOYEES WITH DISABILITIES — The employer shall make "reasonable accommodations" for applicants and employees with disabilities who have physical or mental limitations, unless it can be demonstrated that the accommodations would impose an undue hardship on the program.

14

Obligations

Responsibilities of the School District

FREE APPROPRIATE EDUCATION

Schools must provide a free appropriate education to Section 504 school-age students with disabilities in their jurisdiction . Instruction must be individually designed to meet the needs of the student as adequately as the needs of students without disabilities. This standard of what is "appropriate" differs from the IDEA "appropriate" standard which requires the district to design a program reasonably calculated to confer educational benefit. Section 504 requires reasonable accommodations.

Although Section 504 does not require school districts to develop an IEP with annual goals and objectives, it is recommended the school document that services and/or accommodations for each eligible Section 504 student are being provided. If a student requires extensive accommodations, a team must meet to develop a plan that outlines the student's services and accommodations. *Parent participation should always be encouraged.*

The quality of educational services provided to students with disabilities must be equivalent to the services provided to non-disabled students. Teachers, administrators, and staff should receive ongoing training in the instruction of students with disabilities and be knowledgeable about appropriate materials and equipment.

NOTE: The student need not qualify for special education in order to be qualified under Section 504. [34 CFR § 104.33(a)(b)].

EMPLOYMENT PRACTICES

No qualified person should on the basis of their disability, be subjected to discrimination in employment under any program or activity that receives federal funds.

School districts must make reasonable accommodations for qualified applicants or employees with known physical and mental limitations unless the accommodation would impose an undue hardship on the operation of the district's program. Examples of reasonable accommodations would include: making facilities accessible to and usable by persons with disabilities, job restructuring, part time or modified work schedules, and acquisition or modification of equipment or devices.

The regulations mention the following factors to consider as "undue hardship."

1. The overall size of the district's program with respect to the number of employees, number and type of facilities, and size of budget

2. The type of the district's operation, including the composition and structure of its workforce

3. The nature and cost of the accommodation needed.

PROGRAM ACCESSIBILITY

In accordance with the Section 504 regulation, no qualified student with disabilities shall be denied the benefits of, be excluded from participation in, or be otherwise subjected to discrimination under any program or activity because a recipient's facilities are inaccessible or unusable. The Section 504 regulation requires all recipients of federal financial assistance to operate their programs or activities so they are readily accessible to students with disabilities.

The regulation contains two standards to be used in determining whether a recipient's programs and activities are accessible to students with disabilities. One standard deals with "existing" facilities; the other deals with "new" construction. The term "existing facility" means the facility was in existence or in the process of construction before June 3, 1977, the effective date of the regulation. The term "new construction" means groundbreaking took place on or after the effective date of the regulation.

The standard for a facility existing before June 3, 1977 requires that federally assisted programs or activities operated in that facility must, when viewed in their entirety, be readily accessible. This standard does not require that every facility or part be accessible, so long as the program as a whole is accessible.

Thus, recipients need not make structural changes to facilities which existed before June 3, 1977, where other alternative methods are effective in making programs and activities accessible, so long as priority consideration is given to offering the services in the most integrated setting appropriate.

One example of an alternative method in a school would be the relocation of classes, activities or services to an accessible site. Facility alteration or new construction is required to achieve program accessibility only if sufficient relocation of classes, activities or services cannot be housed in an existing facility.

In meeting the objective of program accessibility, a recipient must take precautions not to isolate or concentrate students with disabilities in settings away from non-disabled students.

On the other hand, the regulation requires that all new construction begun after June 3, 1977, as well as alterations to existing facilities, must be designed and constructed so as to make facilities accessible and usable by students with disabilities.

SECTION 504 COORDINATION

The general provisions of Section 504 require the designation of a person to coordinate the school district's efforts to comply with its various components. Under Subpart D, coordination activities will include some or all of the following:

- establishment and monitoring of a Section 504 referral/identification/review process;

- establishment and monitoring of an impartial hearing process;

- provision of staff awareness/training activities concerning Section 504 requirements; and

- maintenance of data on Section 504 referrals.

While Section 504 regulations do not mandate the latter two activities, it is recommended that training be provided and a data collection system be established.

The Section 504 Coordinator could be someone already employed by the school district. Preferably it should be a regular education administrator who is knowledgeable about federal laws and regulations.

SECTION 504 POLICY/PROCEDURES CHECKLIST

Does your school district provide, via policy or procedures:

[Y] [N] 1. an up-to-date *self-evaluation*, including an opportunity for persons with disabilities, their advocacy organizations, and other interested individuals, to submit comments? [See 28 CFR Sec. 35.1051]

2. the following: [See 34 CFR Sec. 104.8 and 104.32(b); 28 CFR Sec. 35.106]

[Y] [N] a. continuing Public notice that your district does not discriminate on the basis of disability with regard to admission or access to and treatment or employment in your programs and activities?

[Y] [N] b. continuing internal notice (i.e., to staff and students) to the same effect?

[Y] [N] 3. identification in those notices of a Sec. 504 coordinator and an ADA coordinator? [See 34 CFR Sec. 104.7(a) and 104.8; 28 CFR Sec. 35.107(a)]

4. a grievance Procedure for disability- discrimination complaints that: [See 34 CFR Sec. 104.7(b); 28 CFR Sec. 35.107(b)]

[Y] [N] a. incorporates appropriate due process standards?

[Y] [N] b. provides for the prompt and equitable resolution of those complaints?

5. reasonable accommodation for qualified applicants and employees with disabilities, such as each of the following unless it demonstrably would impose an "undue hardship" on the operation of the program:

[Y] [N] a. making facilities used by employees readily accessible to and usable by handicapped persons?

[Y] [N] b. modifications or adjustments to the the job application process that enable a qualified applicant with a disability to be considered?

Y N c. modifications or adjustments in the work environment that enable a qualified individual with a disability to perform the essential functions of that position?

Y N d. appropriate adjustment or modification of examinations, training materials, or policies?

Y N e. job restructuring and part-time or modified work schedules?

Y N f. reassignment to a vacant position?

Y N g. acquisition or modification of equipment or devices?

Y N h. the provision of readers or interpreters or other similar actions?

Y N 6. not using employment tests or other selection criteria that tend to screen out persons with disabilities unless these criteria are demonstrably job related and unless effective alternatives are not available? [See 34 CFR Sec. 104.13(a); 29 CFR Sec.1630.10]

Y N 7. not making Preemployment inquiries as to whether the applicant is an individual with a disability? [See 34 CFR Sec. 104.14(a); 29 CFR Sec. 1630.13]

Y N 8. ready accessibility to individuals with disabilities to each of your programs and activities when viewed in its entirety? [See 34 CFR Sec. 104.22; 28 CFR Sec. 35.150]

9. an individualized evaluation (in the native language) for any student who is believed to: [See 34 CFR Sec. 104.35 and 104.3(j)]

Y N a. have a physical or mental impairment which substantially limits one or more major life activities,

Y N b. have a record of such impairment, or

Y N c. be regarded as having such an impairment?

18

Y N 10. for each student meeting any of the criteria in item #9, an "appropriate education," which is defined as regular or special education and related aids and services that are designed to meet his/her individual needs as adequately as the needs of non-disabled persons are met and that are based upon procedures referred to in item #11? [See 34 CFR Sec. 104.33]

11. parental notice (in the native language) of the rights to: [See 34 CFR Sec. 104.36]

Y N a. have an individualized evaluation (item #9)?

Y N b. examine relevant records?

Y N c. demand an impartial hearing with the opportunity to be represented by counsel?

Y N d. obtain a subsequent review?

Y N 12. if separate classrooms for special education, that they be comparable facilities to those for regular education? [See 34 CFR Sec. 104.34(c)]

Y N 13. nonacademic and extracurricular services and activities so as to provide handicapped persons with an equal opportunity for participation? [See 34 CFR Sec. 104.37]

Y N 14. integrated settings to the maximum extent appropriate to the needs of qualified individuals with disabilities? [See 34 CFR Sec. 104.34; 28 CFR Sec. 35.130(d)]

15. reasonable access to your programs or activities, if any, of: [See 34 CFR Sec. 104.38]

Y N a. preschool education?

Y N b. day care?

Y N c. adult education?

Y N 16. furnishing auxiliary aids and services (unless it would result in an undue burden or a fundamental alteration in the program) to employees, students, parents, and members of the public who have disabilities to the extent necessary for communications with them to be equally effective as communications with other persons, such as: [See 28 CFR Sec. 35.160-.164]

Y N a. telephone communications devices for the deaf (TDD's)?

Y N b. signage with international symbol for accessibility?

Y N 17. reasonable modifications generally in policies, practices, and procedures when necessary to avoid disability-based discrimination unless the district can prove that the modification would fundamentally alter the nature of the service, program or activity. [See 28 CFR Sec. 35.130(b)(7)]

—Perry Zirkel, 1992

PROCEDURAL REQUIREMENTS OF SECTION 504

To be in compliance with Section 504, school districts must do the following:

1. Provide *Written Assurance Of Nondiscrimination* whenever the district receives federal money (e.g., on the LEA application). [34 CFR § 104.5(a)]

2. Designate an *Employee To Coordinate Compliance* with Section 504 (if there are more than 15 employees). [34 CFR § 104.7(a)]

3. Provide *Grievance Procedures* to resolve complaints of discrimination (if more than 15 employees); this does not apply to denial of employment. [34 CFR § 104.7(b)]

4. *Provide Notice* to students and parents. A separate notice should be available for employees, unions, and professional organizations of nondiscrimination in admission or access to, treatment and employment in, its programs or activities (if more than 15 employees). Notice must be included in student/parent handbook. [34 CFR §104.8]

5. It is recommended that the school district's ongoing child find locate and identify students who might qualify under Section 504.

6. Annually *Notify* persons with disabilities and their parents or guardians of the district's responsibilities under Section 504. [34 CFR § 104.32(b)]

7. Provide parents or guardians with *Procedural Safeguards*:

   a. notice of their rights;

   b. an opportunity to review relevant records;

   c. an impartial hearing. It is important that parents or guardians be notified of their right to request a hearing regarding the identification, evaluation, or educational placement of persons with disabilities. [34 CFR § 104.36]; and

   d. review procedures. Compliance with the procedural safeguards under IDEA is one way of meeting these requirements.

21

SECTION 504 POLICY STATEMENT

School districts shall review their existing "nondiscrimination policy" with particular emphasis on Subpart D of Section 504. In some instances, the existing policy may be sufficient. In other instances, districts may wish to revise their policy or develop a separate statement concerning non-discrimination in education programs. As a minimum, a school district policy should include:

- an affirmative statement that the district does not discriminate on the basis of disability
- reference to Section 504 of the Rehabilitation Act of 1973
- reference to a referral/evaluation/placement process for students suspected of being disabled under Section 504.

The following is an examples of Section 504 policy statements.

IT IS THE POLICY OF THE _____ IN ACCORDANCE WITH SECTION 504 OF THE REHABILITATION ACT, THAT THERE WILL BE NO DISCRIMINATION OR HARASSMENT ON THE GROUNDS OF RACE, COLOR, SEX, NATIONAL ORIGIN, AGE, OR DISABILITY IN ANY EDUCATIONAL PROGRAMS, ACTIVITIES, OR EMPLOYMENT. THE SCHOOL DISTRICT HAS PROCEDURES REGARDING THE REFERRAL, EVALUATION, AND PLACEMENT OF STUDENTS WITH DISABILITIES WHO ARE ELIGIBLE UNDER SECTION 504.

PERSONS HAVING QUESTIONS ABOUT EQUAL OPPORTUNITY AND NONDISCRIMINATION SHOULD CONTACT THE STATE SUPERINTENDENT OF PUBLIC INSTRUCTION AT THE UTAH STATE OFFICE OF EDUCATION, 250 EAST 5TH SOUTH, SALT LAKE CITY, UT 84111

A SCHOOL DISTRICT DISCRIMINATES WHEN IT:

1. Denies a person with disabilities the opportunity to participate in or benefit from an aid or service which is afforded students without a disability (e.g., district practice of refusing to allow any student with a disability the opportunity to be on the honor roll; denial of credit to a student whose absenteeism is related to his/her disability; expelling a student for behavior related to his/her disability; refusing to dispense medication to a student who could not attend school otherwise).

2. Fails to afford the student with disabilities an opportunity to participate in, or benefit from, the aid or service that is equal to that afforded others.

3. Fails to provide aids or services to the person with disabilities that are as effective as those provided to non-disabled persons (e.g., placing a student with a hearing impairment in the front row as opposed to providing her with an interpreter). Note: *"Equally effective"* means *equivalent* as opposed to *identical*. Moreover, to be *equally effective*, an aid or service need not produce equal results; it must merely afford an equal opportunity to achieve equal results. (Comment to 34 CFR 104.4(b)(2))

4. Provides different or separate aids or services unless such action is necessary to be as effective as the aids, benefits or services provided to other students (e.g., segregating students in separate classes, schools or facilities, unless necessary).

5. Perpetuates discrimination by providing significant assistance to an agency, organization or person that discriminates on the basis of a disability.

6. Denies a person with disabilities the opportunity to participate as a member of a planning or advisory board strictly because of his/her disability.

7. Otherwise limits the enjoyment of any right, privilege, advantage or opportunity enjoyed by others (e.g., prohibiting a person with a physical disability from using a service dog at school).

8. In determining the site or location of a facility, makes selections which effectively exclude persons with disabilities, denies them the benefits of, or otherwise subjects them to discrimination.

REFERRAL / IDENTIFICATION / PLANNING / REVIEW PROCESS

The Section 504 Coordinator should monitor that:

1. Referrals are received from parents, individual teachers, adult age students and/or community agencies.

2. The presenting problem(s) and previous remedies should be considered and reviewed. The summary should include all current information and recommendations for additional evaluation.

3. The school district periodically notifies the parent(s), in writing, of the school's reason and intent to conduct an evaluation. The notice could include due process rights and a description of the evaluation.

4. Section 504 requires that a school district evaluate all students with disabilities before making an initial placement or any subsequent, significant change in his or her placement.

5. The school receives parental consent and initiates any required evaluations.

6. The classroom teacher(s) and/or school staff make the necessary accommodations to allow for the student's disability. Parents should be consulted and give input regarding the accommodations. In many cases this process will not need a formal team meeting.

7. In cases where major services and/or accommodations are necessary, the Coordinator plans a 504 Conference Committee Meeting and identifies all staff and parent(s) who should be included in the meeting.

8. The following factors should be considered:
   a. evaluation results
   b. Section 504 eligibility;
   c. the student's unmet needs;
   d. services and/or accommodations based on eligibility;
   e. discuss and plan possible staff inservice.

9. The accommodations and/or services are implemented.

10. Each student's accommodations and/or services will be reviewed at least annually.

DISCIPLINE OF STUDENTS WITH DISABILITIES

Section 504 requires that a school district evaluate all students with disabilities before making an initial placement or any subsequent, significant change in his or her placement. The proposed exclusion of a student with disabilities that is permanent (expulsion), for an indefinite period, or for more than 10 consecutive school days, constitutes a "significant change in placement" under Section 504.

A series of suspensions that are each of 10 days or fewer in duration that creates a pattern of exclusions may also constitute a "significant change in placement." The determination of whether a series of suspensions creates a pattern is made on a case-by-case basis. In no case, however, may serial, short exclusions be used to avoid the requirements of reevaluation before suspensions of more than 10 days.

Among the factors considered in determining whether a series of suspensions has resulted in a "significant change in placement" are the length of each suspension, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school. OCR does not consider a series of suspensions that, in the aggregate, are for ten days or fewer to be a significant change in placement.

Before implementing a suspension or expulsion that constitutes a significant change in the student's placement, the school must conduct a reevaluation to determine if the behavior was caused by the disability.

25

EXAMPLES OF REASONABLE ACCOMMODATIONS

ENVIRONMENTAL STRATEGIES

- Provide a structured learning environment.
- Adjust class schedules.
- Classroom aides and note takers.
- Possible modification of nonacademic times such as lunchroom, recess, and physical education.
- Change student seating.
- Use of study carrel.
- Alter location of personal or classroom supplies for easier access or to minimize distraction.

ORGANIZATIONAL STRATEGIES

- Modify test delivery.
- Use tape recorders, computer-aided instruction, and other audiovisual equipment.
- Select modified textbooks or workbooks.
- Tailor homework assignments.
- Use of one-to-one tutorials.
- Provide peer tutoring.
- Set time expectations for assignments.
- Provide cues such as clock faces indicating beginning and ending times.
- Provide tests in segments so that student hands in one segment before receiving the next part.
- Highlight main ideas and supporting details in the book.

Guidelines for Educators

BEHAVIORAL STRATEGIES

- Use behavioral management techniques.
- Implement behavioral/academic contracts.
- Utilize positive reinforcements (rewards).
- Utilize negative consequences (punishments).
- Conference with the student's parents (and student as appropriate).
- Conference with the student's other teachers.
- Establish a home/school communication system for behavior monitoring.
- Post rules and consequences for classroom behavior.
- Write a contract for student behavior.
- Offer social reinforcers (i.e., praise, hugs, winks) for appropriate behavior.
- Put student on daily/weekly progress report.
- Implement self-recording of behaviors.

PRESENTATION STRATEGIES

- Tape lessons so the student can listen to them again.
- Provide mimeographed material for extra practice (i.e., outlines, study guides).
- Require fewer drill and practice activities.
- Give both oral and visual instructions for assignments.
- Vary the method of lesson presentation:
  a. lecture
  b. small groups
  c. large groups
  d. use audio visuals (i.e., filmstrips, study prints)
  e. peer tutors or cross-age tutors (i.e., take notes, monitor assignments, read aloud, listen)

27

f. demonstrations
g. experiments
h. simulations
i. games
j. 1-to-1 instruction with other adult

- Provide for oral testing.
- Ask student to repeat directions/assignments to insure understanding.
- Arrange for a mentor to work with student in his or her interest area or area of greatest strength.

METHODOLOGY STRATEGIES

- Repeat and simplify instructions about in-class and homework assignments.
- Supplement verbal instructions with visual instructions.
- Change instructional pace.
- Change instructional methods.

CURRICULUM STRATEGIES

- Change instructional materials.
- Utilize supplementary materials.
- Assess whether student has the necessary prerequisite skills. Determine whether materials are appropriate to the student's current interest and functioning levels.
- Implement study skill strategies (survey, read, recite, review). Introduce definition of new terms/vocabulary and review to check for understanding.
- Limit amount of material presented on a single page.
- Provide a sample or practice test.
- Be aware of student's preferred learning style and provide appropriate instruction/materials.

Guidelines for Educators

RED FLAGS FOR CONSIDERING POSSIBLE ACCOMMODATIONS AND/OR SERVICES UNDER SECTION 504:

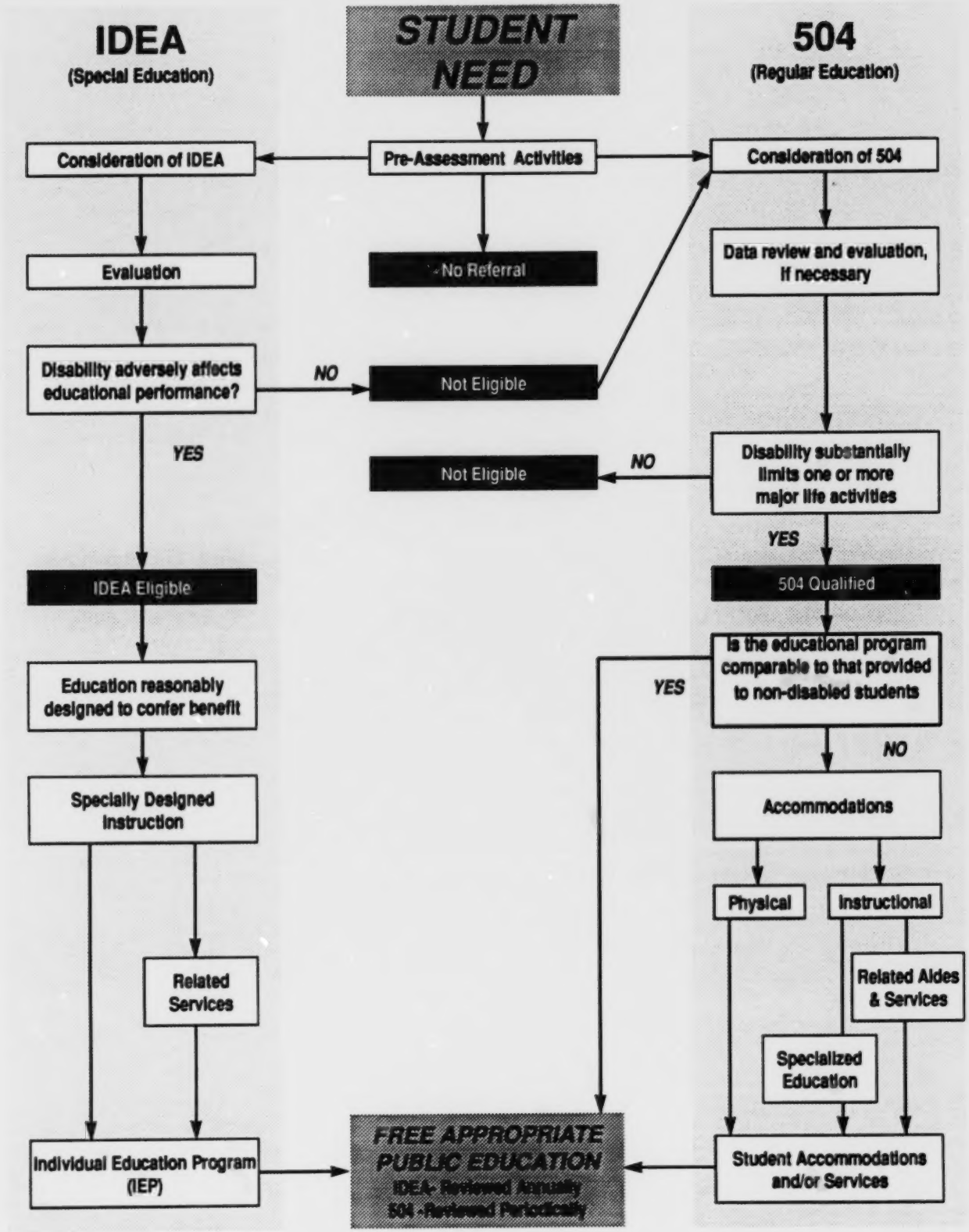
- When a PARENT frequently expresses a concern about their child's performance
- When SUSPENSION OR EXPULSION is being considered for any student.
- When RETENTION is being considered.
- When a student shows a pattern of NOT BENEFITTING FROM TEACHER INSTRUCTION.
- When a student returns to school after a SERIOUS ILLNESS OR INJURY.
- When a student is REFERRED FOR EVALUATION, but it is determined not to do an evaluation under the IDEA.
- When a student is evaluated and is found NOT TO QUALIFY FOR SPECIAL EDUCATION services under the IDEA.
- When a student EXHIBITS A CHRONIC HEALTH CONDITION.
- When a student has been identified as having an ATTENTION DEFICIT DISORDER (ADD) OR ATTENTION DEFICIT HYPERACTIVE DISORDER (ADHD).
- When a student is identified as "AT RISK" or exhibits the potential for dropping out of school.
- When SUBSTANCE ABUSE is an issue.
- When a DISABILITY of any kind is known or suspected.
- When a NEW BUILDING OR REMODELING is being considered.

30

Comparison

Section 504 and The Individuals with Disabilities Education Act (IDEA)

31



32

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COMPARISON

ISSUES	SECTION 504	IDEA	ADA
TYPE	A Civil Rights Law	An Education Act	A Civil Rights Law
TITLE	The Rehabilitation Act of 1973	The Individuals With Disabilities Education Act (IDEA)	Americans With Disability Act of 1990 (ADA)
RESPONSIBILITY	REGULAR EDUCATION	SPECIAL EDUCATION	PUBLIC AND PRIVATE SCHOOLS
FUNDING	STATE AND LOCAL RESPONSIBILITY (No Federal funding)	STATE, LOCAL, AND FEDERAL. IDEA funds cannot be used to serve students eligible only under Section 504	Public and Private responsibility (No Federal funding)
ADMINISTRATOR	SECTION 504 COORDINATOR (Systems with 15 plus employees)	Special Education Director or designee	Requirement for School Districts of 50 or more employees suggest to use the 504 Coordinator.
SERVICE TOOL	ACCOMMODATIONS and/or SERVICES	INDIVIDUALIZED EDUCATION PROGRAM	REASONABLE ACCOMMODATIONS AND LEGAL EMPLOYMENT PRACTICES
PURPOSE	Is a broad civil rights law which protects the rights of individuals with disabilities in programs and activities that receive Federal financial assistance from the U.S. Department of Education.	Is a Federal funding statute whose purpose is to provide financial aid to states in their efforts to ensure a free appropriate public education for students with disabilities.	To provide a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilites.

ISSUES	SECTION 504	IDEA	ADA
POPULATION	Identifies student as disabled so long as she/he meets the definition of qualified persons with disabilities; i.e., has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded as disabled by others.	Identifies 13 categories of qualifying conditions.	Identifies persons as disabled so long as she/he meets the definition of qualified persons with disabilities; i.e., has a physical or mental impairment which substantially limits a major life activity, or is regarded as disabled by others.
FREE APPROPRIATE PUBLIC EDUCATION	Both require the provision of a free appropriate public education to students covered under them including individually designed instruction.		Addresses education in terms of accessibility requirements.
	Requires a written accommodation plan. "Appropriate" means an education comparable to the education provided to nondisabled students.	Requires the district to provide IEPs. "Appropriate education" means a program designed to provide "educational benefit."	Requires private and public enities not to use employment practices that discriminate on the basis of a disability.
ELIGIBILITY	A student is eligible so long as she/he meets the defintion of qualified person with disabilities, i.e., currently has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded as disabled by others. The student is not required to need special education services in order to be protected.	A student is only eligible to receive special education and/or related services if the multidisciplinary team determines that the student has a disability under one of the thirteen qualifying conditions and requires special education services.	A person is eligible so long as she/he meets the definition of qualified person with disabilities, i.e., currently has or has had a physical or mental impairment which substantially limits a major life activity, or is regarded by others as having a disability. The student is not required to need special education services in order to be protected.

ISSUES	SECTION 504	IDEA	ADA
ACCESSIBILITY	Has regulations regarding building and program accessibility, requiring that reasonable accommodations be made.	Requires that modifications must be made if necessary to provide access to a free appropriate public education.	Requires that public programs be accessible to individuals with disabilities.
UNDUE HARDSHIP		Size of the program and its budget, type of operation, nature and cost of accommodation.	Size of the business and its budget, type of operation, nature and cost of accommodation.
DRUG AND ALCOHOL USE	Current drug use is not considered a disability. An individual who has stopped using drugs and/or alcohol and is undergoing rehabilitation could be protected.	Drug and alcohol use is not covered under IDEA.	Current drug use is not considered a disability. Current alcohol abuse that prevents individuals from performing duties of the job or that constitutes direct threat to property or safety of others is not considered a disability.
CONTAGIOUS DISEASES	Individual with disabilities excludes any individual with a contagious disease which renders the individual unable to perform the job.	Could be eligible under the category of "other health impaired."	Permits qualification standard requiring that an individual with a currently contagious disease or infection not pose a direct threat to the health or safety of others.
PROCEDURAL SAFEGUARDS	Both require notice to the parent or guardian with respect to identification, evaluation, and placement.		Makes provisions for public notice, hearings, and awarding attorney fees.
	Does not require written notice but a district would be wise to do so.	Requires a written notice.	

ISSUES	SECTION 504	IDEA	ADA
	Notice is required only before a "significant change in placement."	Notice provisions are much more comprehensive. What the notice at a minimum must provide is specifically spelled out.	
		Written notice is required prior to any change in placement.	
EVALUATIONS	Evaluation draws on information from a variety of sources in the area of concern; decisions made by a group knowledgeable about the student, evaluation data, and placement options. Requires parental notice, but not consent.	A full comprehensive evaluation is required assessing all areas related to the suspected disability. The student is evaluated by a multidisciplinary team . Requires consent before the initial evaluation is conducted.	All schools should conduct or update their section 504 self-evaluation regarding services, accessibility, practices, and policies to assure discrimination is not occuring to any individual with disabilities.
	Does not require consent, only notice. However, good professional practice indicates informed consent.	Requires informed consent before an initial evaluation is conducted.	
	Requires periodic reevaluations.	Requires reevaluations to be conducted at least every 3 years.	
	Reevaluation is required before a significant change in placement.	A reevaluation is not required before a significant change in placement. However, most students covered by IDEA are also 504 eligible.	

ISSUES	SECTION 504	IDEA	ADA
	No provision for independent evaluations at district expense. District should consider any such evaluations presented.	Provides for independent educational evaluation. At district expense if parent disagrees with evaluation obtained by school.	
NOTICE	Notice should be given. A meeting is not required for change of placement.	Notice must be given to parents before the initial evaluation and placement. Also, before any significant change of placement.	Public notice is required of all school agencies regarding students, parents, and employee rights under ADA.
PLACEMENT	When interpreting evaluation data and making placement decisions, both laws require districts to: Draw upon information from a variety of sources. Assure that all information is documented and considered. Ensure that the placement decision is made by a group of persons including those who are knowledgeable about the child, the meaning of the evaluation data and placement options. Ensure that the student is educated with his/her nondisabled peers to the maximum extent appropriate (Least Restrictive Environment--LRE)		
	Not required.	An IEP review meeting is required before any change in placement.	
GRIEVANCE PROCEDURES	Requires districts with more than 15 employees to designate an employee to be responsible for assuring district compliance with Section 504 and provide a grievance procedure for parents, students, and employees.	Does not require a grievance procedure, nor a compliance officer.	Any school district who employs 50 or more shall adopt and publish grievance procedures for resolution of ADA complaints.

ISSUES	SECTION 504	IDEA	ADA
DUE PROCESS	Both statutes require districts to provide impartial hearings for parents or guardians who disagree with the identification, evaluation, or placement of student with disabilities.		Due process hearings can be initiated by either party. The court may allow the prevailing party, other than the United States, a reasonable attorney's fee.
	Requires that the parent have an opportunity to participate and be represented by counsel. Other details are left to the discretion of the local school district. Policy statements should clarify specific details.	Delineates specific requirements.	
EXHAUSTION	Administrative hearing not required prior to OCR involvement or court action.	The parent or guardian should exhaust all adminstrative hearing before seeking redress in the courts.	An administrative hearing not required prior to OCR involvement or court action.
ENFORCEMENT	Enforced by the U.S. Office for Civil Rights.	Enforced by the U.S. Office of Special Education Programs. Compliance is monitored by the State Board of Education and the Office of Special Education Programs.	Enforced by the U.S. Office for Civil Rights
	State Department of Education has no monitoring, complaint resolution or funding involvement.	The Utah State Office of Education will resolve complaints under Individuals with Disabilities Education Act.	

Q & A

Section 504 Issues

1. Q. *Does the school district receive federal funds to help implement Section 504 services?*

   A. No, state and local fiscal resources must be used.

2. Q. *Can a district use IDEA monies for identification, evaluation, and services for Section 504 qualified students?*

   A. Section 504 is not a funding statute. Students eligible for services under Section 504 may not benefit from IDEA funds unless they are eligible for special education services under IDEA. IDEA monies may be used for evaluation of a student only if it is believed that the child will also qualify for services under one of the 13 disabling conditions as defined by IDEA.

3. Q. *Can a student qualify for both Section 504 and IDEA services?*

   A. Yes, A student could receive special education services in certain areas and also need accommodations for other needs. For example, an eligible student with a learning disability under IDEA might also use a wheelchair. The physical disability could fall under Section 504 and require accommodations.

4. Q *What role does the parent play in the 504 process?*

   A. The parent is the expert regarding their child. Schools and parents should work together in partnership, sharing expertise and responsibility. The school is required to provide notice to the parents with respect to identification, evaluation, placement and any change in placement.

5. Q. *Is parental consent required under Section 504?*

   A. Parental consent is not required but is considered best practice.

6. Q. *What is a district's responsibility to make buildings accessible?*

A. Facilities which were constructed prior to June 3, 1977 need not be made accessible so long as the program or activity, viewed in its entirety, is readily accessible to persons with disabilities. (34 CFR § 104.22) It would not be necessary to make every high school in a district accessible. However, the student must be afforded an equal opportunity to enjoy the full range of services offered by the district. For example, if a district runs a magnet school with specialized studies, students may not be denied access to the program merely because of accessibility problems.It should be noted that physical accessibility requirements are the same under the Americans with Disabilities Act.

7. Q. *Short of major modifications, what can a district do to make buildings and programs accessible?*

A A district can redesign equipment, reassign classes or other services to accessible buildings, assign a paraprofessional to the student, deliver services at alternate accessible sites, or alter existing facilities. If there are methods which are as effective in achieving compliance, a district need not undertake structural changes to a building. (34 CFR § 104.22(b))

8. Q. *What are some examples of what is not an acceptable accommodation?*

A. Carrying a student upstairs, making one particular building or part of a building accessible and placing all students with mobility impairments at this location (Comment to 34 CFR § 104.22), having students with disabilities eat on a separate floor due to an inaccessible cafeteria, denying certain programs such as music, art, or assembly because these programs are inaccessible.

9. Q. *What is the school district's obligation for new buildings or additions?*

A. Buildings or additions constructed since June 3, 1977 must be designed and constructed to allow persons with disabilities easy access. (34 CFR §104.23(a)) For example, multilevel buildings should have ramps or elevators, accessible bathrooms, doorways constructed wide enough to fit wheelchairs, etc. Contractors and architects should be familiar with accessibility requirements.

40

10. Q. *What is a district's obligation when a building is altered?*

A. Facilities which are altered after June 3, 1977 must be altered to allow accessibility and usability by persons with disabilities. (34 CFR § 104.23(b)) For example, if a school district adds on a wing to a building, the wing must be made accessible. If a storage room is modified into a classroom, modifications, such as widening the doorway, must be made.

11. Q. *What is meant by the phrase "to the maximum extent feasible?"*

A. This provision covers the occasional instance where the nature of an existing facility makes it impractical or extremely expensive to renovate so that it is entirely barrier-free. However, in all of these instances, the alteration should provide a maximum amount of physical accessibility. Comment to (34 CFR § 104.23(b))

12. Q. *What is meant by accommodations?*

A. Adjustments or modifications that enable the student to benefit from their educational program. In many cases these modifications are all that is necessary for the student to achieve and maintain classroom goals and objectives.

13 Q. *What is an Accommodation Plan?*

A. A written document that outlines the student's educational program. It should contain educational goals and objectives. The plan is developed by the Multidisciplinary Team and reviewed at least annually. It is similar to an Individualized Education Program (IEP) in special education. (See appendix for examples).

14. Q. *Would the procedural requirements under the Individuals with Disabilities Education Act (IDEA) satisfy Section 504 requirements?*

A. Yes, if the school district compiled with procedures outlined in IDEA for Section 504 students, they would be meeting legal requirements. However, it is important that the programs are not combined. Section 504 is a regular education responsibility.

15. Q. *What are the requirements for discipline for eligible students under Section 504.*

A. Section 504 requires that a school district evaluate all students with disabilities before making an initial placement or any subsequent, significant change in his or her placement. The proposed exclusion of a student with disabilities that is permanent (expulsion), for an indefinite period, or form more than 10consecutive school days, constitutes a "significant change in placement" under Section 504.

A series of suspensions that are each of 10 days or fewer in duration that creates a pattern of exclusions may also constitute a "significant change in placement." The determination of whether a series of suspensions creates a pattern is made on a case-by-case basis. In no case, however, may serial, short exclusions be used to avoid the requirements of reevaluation before suspensions of more than 10 days.

Among the factors considered in determining whether a series of suspensions has resulted in a "significant change in placement" are the length of each suspension, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school. OCR does not consider a series of suspensions that, in the aggregate, are for ten days or fewer to be a significant change in placement.

16. Q. *Who is the school district Section 504 Coordinator?*

A. The individual should be knowledgeable about Section 504. This is not necessarily a new position, the school could utilize existing staff resources. The Coordinator should ensure that the School District has a non-discrimination policy in place, completes Section 504 self-evaluation (Appendix D), and provide training to school district personnel.

17. Q. *Which law do students with ADD/ADHD fall under?*

A. There is a growing awareness in the education community that attention deficit disorder (ADD) and attention deficit hyperactive disorder (ADHD) can result in significant learning problems for students. While estimates of the prevalence of ADD/ADHD vary widely, it is generally believed that 3 to 5 percent of school-aged children may have significant educational problems related to this disorder. ADD/ADHD is not a separate disability in IDEA. Students with this disability may meet eligibility criteria for special education services under other IDEA categories. Students with

ADD/ADHD may be classified as "other health impaired" in instances where the ADD/ADHD is a chronic or acute health problem which result in limited alertness or vitality and which adversely affects educational performance. Students with ADD/ADHD may also be determined IDEA eligible under "specific learning disability" or seriously emotionally disturbed." A school district must provide regular education and special education and related services to students with ADD/ADHD who are not IDEA eligible, but who are qualified students with disabilities under Section 504. SUch services may include modified behavior management programs and provisions for administering medication.

18. Q. *Who should a district call regarding technical assistance on accessibility issues?*

A. The Utah State Office of Education, Office of Civil Rights, or The Utah State Division of Rehabilitation.

Utah State Office of Education
250 East 500 South
Salt Lake City, UT 84111
(801) 538-7647

Office of Civil Rights
1244 Spear Blvd., Suite 310
Denver, CO 80204-3582
(303) 844-5695

Utah State Division of
Rehabilitation
1574 West 1700 South
Suite 1A
Salt Lake City, UT 84111

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Policies

and

Forms

45

46

NOTICE OF NONDISCRIMINATION

Applicants for admission and employment, students, parents, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the _____ School District are hereby notified that this District does not discriminate on the basis of race, color, national origin, sex, age, or disability in admission or access to, or treatment or employment in, its programs and activities. Any person having inquiries concerning the _____ School District's compliance with the regulations implementing Title VI, Title IX, Americans with Disability Act or Section 504 is directed to contact: _____ who has been designated by the _____ School District to coordinate the District's efforts to comply with the regulations implementing Title VI, Title IX, and Section 504.

Title: _____

Location: _____

Telephone: _____

--Art Cernosia, 1993

SECTION 504 REFERRAL
(SAMPLE)

School District: _____ Date: _____

Student: _____ Date of Birth: _____

Parent: _____ Phone: _____

Address: _____ School: _____

Teacher: _____ Grade: _____

Referred by: _____

Position: _____

1. Reason for Referral: _____

_____

_____

_____

_____

2. Accommodations and interventions attempted (attach appropriate documentation)

_____

_____

_____

_____

_____

3. Has the student ever been referred, evaluated, and/or received services from special education? __ YES __ NO. If yes, explain: _____

_____

_____

4. Referral action: _____

_____

_____

_____

_____

_____ _____

Principal's Signature Date

REFERRAL FORM
(Sample)

Section 504 of the Rehabilitation Act of 1973 is designed to eliminate discrimination on the basis of disability in any program or activity receiving Federal financial assistance. Students eligible for 504 assistance are those who 1) have a physical or mental impairment which substantially limits one or more major life activities, 2) have a record of such impairments or 3) are regarded as having such an impairment. If you feel the student identified qualifies for assistance under Section 504, please complete the following information.

Student: _____ Grade:_____

School District: _____ Date: _____

School: _____ Birthdate: _____ Sex [ ] M [ ] F

Parent(s): _____ Home Phone: _____ Work Phone: _____

Name of person submitting referral: _____

Position: _____

Describe the student's suspected disability according to Section 504 guidelines:

_____

_____

_____

SPECIAL EDUCATION DISCLAIMERS:

[ ] No referral to special education is necessary. The student's needs can be accommodated in the regular education program.

[ ] The student has been evaluated by the special education team and does not qualify for special education services.

[ ] The student has received special education services in the past, but no longer requires special education. Please check services provided.

[ ] Resource Room
[ ] Guidance
[ ] Speech-Language
[ ] Self-contained classroom
[ ] Special school setting
[ ] Other_____

[ ] Occupational therapy
[ ] Physical therapy
[ ] Services for the visually impaired
[ ] Services for the hearing impaired
[ ] Interpreter

ELIGIBILITY FOR 504 ASSISTANCE

The student has a physical or mental disability or is regarded as having such which substantially limits the following major life activities:

[ ] Caring for one's self
[ ] Performing manual tasks
[ ] Walking
[ ] Seeing
[ ] Hearing
[ ] Speaking
[ ] Breathing
[ ] Learning
[ ] Working
[ ] Other _____

ACCOMMODATIONS REQUIRED (please check areas of need and justify)

[ ] Classroom: _____

_____

_____

[ ] Accessibility: _____

_____

[ ] Facilities: _____

_____

[ ] Supplies/Equipment (describe): _____

_____

[ ] Related Services: _____

_____

[ ] Interpreter: _____

[ ] Other (specify) _____

_____

ANTICIPATED DURATION OF TIME ACCOMMODATION WILL BE NEEDED:

[ ] Temporary (specify) _____

[ ] Long-term (specify) _____

Additional Comments:

_____ _____

Principal's Signature Date

NOTICE TO PARENT(S)
(Sample)

School District: _____ Date: _____

Student _____

School _____

Dear Parent or Guardian:

This letter is to inform you that we have some concerns about how your child's progress at _____ school. We have attempted some accommodations for your child. They include: _____

_____

_____

_____

We would like to arrange a meeting to discuss further accommodations in order to ensure that _____ is afforded an appropriate education. We have scheduled a meeting on _____ time _____. This meeting will be held at _____ to discuss your child's educational needs. We would very much appreciate your participation.

If you have any questions, or if this meeting time is not convenient for you, please call me at _____. We will discuss your questions or arrange a mutually convenient meeting time.

Sincerely,

_____ _____
Name Position

53

c: Student's Cumulative File

PARENT AND STUDENT RIGHTS
(Sample)

School District: _____ Date: _____

There are several times during the planning process when parents/guardians should be informed of their rights under Section 504:

- When eligibility is determined.
- When accommodations and/or services are developed.
- Before there is a significant change in the plan for services.

Notification Should Include the Following Rights Under 504:

1. Right to file a grievance with the school district over an alleged violation of Section 504 regulations.

2. Right to have an evaluation that draws on information from a variety of sources.

3. Right to be informed of any proposed actions related to eligibility and plan for services.

4. Right to examine all relevant records.

5. Right to receive all information in the parent's/guardian's native language and primary mode of communication.

6. Right to periodic evaluation and/or re-evaluations before any significant change in program/service modifications.

7. Right to an impartial hearing if there is disagreement with the school district's proposed action.

    - Section 504 regulations do not establish timelines for submission of a hearing request.

    - Section 504 regulations do not define "impartial." However, in similar processes, impartial has been defined as a person not employed by or under contract with the district in any capacity.

    - Due process hearing officer under Part B could be used to hear Section 504 compliants.

    - Section 504 regulations do not require that the selection of the hearing officer be a mutually agreed upon decision between the school district and the parents/guardians.

8. Right to be represented by counsel in the impartial hearing process.

9. Right to appeal the impartial hearing officer's decision.

SECTION 504
STUDENT AND PARENT RIGHTS IN IDENTIFICATION, EVALUATION AND PLACEMENT
(Sample)

School District: _____ Date: _____

The following is a description of student and parent rights granted by federal law. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

YOU HAVE THE RIGHT TO:

1. Have your child take part in, and receive benefits from public education programs without discrimination based on a disability.

2. Have the school district advise you as to your rights under federal law.

3. Receive notice with respect to identification, evaluation, or placement of your child.

4. Have your child receive a free appropriate public education. This includes the right to be educated with other students to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities.

5. Have your child educated in facilities and receive services comparable to those provided students without disabilities.

6. Have your child receive special education and related services if she/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) (PL 101-476), or to receive reasonable accommodations under Section 504 of the Rehabilitation Act.

7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by individuals who know the student, the evaluation data, and placement options.

8. Have transportation provided to a school placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the school district.

9. Give your child an equal opportunity to participate in nonacademic and extracurricular activities offered by the school district.

10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement.

11. Obtain copies of educational records at a reasonable cost if the fee would effectively deny you access to the records.

12. Receive a response from the school district to reasonable requests for explanations and interpretations of your child's records.

13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request, it shall notify you within a reasonable time, and advise you of the right to a hearing.

14. Request mediation or an impartial due process hearing related to decisions regarding your child's identification, evaluation, educational program, or placement. You and your child may take part in the hearing and have an attorney represent you.

15. Ask for payment of reasonable attorney fees if you are successful on your claim.

16. File a local grievance.

The person in the school district who is responsible for Section 504 compliance is:

_____ _____

Telephone Number

NOTICE: SECTION 504 OF THE REHABILITATION ACT OF 1973
(Sample)

School District: _____ Date: _____

Section 504 is an Act which prohibits discrimination against persons with a disability in any program receiving federal financial assistance. The Act defines a person with a disability as anyone who:

1. *has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working);*

2. *has a record of such impairment; or*

3. *is regarded as having such an impairment.*

In order to fulfill obligations under Section 504, the _____ school district has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any of the program and practices of the school system.

The school district has responsibilities under Section 504, which include the obligation to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, he/she has a right to a hearing with an impartial hearing officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational records. This Act gives the parent or guardian the right to: 1) inspect and review his/her child's educational records; 2) make copies of these records; 3) receive a list of all individuals having access to those records; 4) ask for an explanation of any item in the records; 5) ask for an amendment to any report on the grounds that it is inaccurate, misleading, or violates the child's rights; and 6) a hearing on the issue if the school refuses to make the amendment.

If there are questions, please feel free to contact _____, Section 504 Coordinator for the school district, at phone number_____.

SECTION 504
NOTICE OF CONFERENCE
(Sample)

School District: _____ Date: _____

This is to confirm the 504 Conference Committee meeting. The meeting was mutually agreed by the school and parents to be held on:

Student: _____ Date: _____

School: _____ Time: _____

_____ Initial conference _____ Annual review Location: _____

A. The purpose of this meeting:

_____ Discuss evaluation results
_____ Review instructional progress
_____ Review of program
_____ Other (specify) _____

The following will be discussed: _____

_____

B. The following individuals will be included:

1. _____ Parent(s) _____
2. _____ Student _____
3. _____ Classroom Teacher(s) _____
   _____
4. _____ School Principal _____
5. _____ Guidance Counselor _____
6. _____ School Psychologist(s) _____
7. _____ Other Specialist(s) _____
8. _____ School Nurse _____
9. _____ Interpreter _____
10. _____ Other _____

Please complete this page and return in the enclosed envelope to:
_____ by _____

1. _____ I will attend the Conference Committee Meeting.
   _____ I will not attend the Conference Committee Meeting.

2. _____ I would like my child to attend the Conference Committee Meeting.
   _____ I do not want my child to attend the Conference Committee Meeting.

3. Please indicate if there are additional individuals you would like to attend the meeting.
   Names: _____

   _____

_____ _____
Parent/Guardian Signature Date

SECTION 504 EVALUATION SUMMARY AND ACCOMMODATIONS AND/OR SERVICES
(Sample)

School District: _____ Date: _____

Student: _____ Birthdate: _____

Address: _____ Phone: _____

Date: _____ School: _____ Grade: _____

PARTICIPANTS - Staff knowledgeable about the student and the results of the evaluation data.

SUMMARY OF EVALUATION DATA - Information from a variety of sources, including, as relevant, aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior.

DETERMINATION OF WHETHER THE STUDENT HAS A DISABILITY UNDER SECTION 504

_____ The student does not have a physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

_____ The student has a physical or mental impairment which substantially limits one or more major life activities, such as caring for one's self performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working **but:**

_____ Student does **not** have a disability under the Individuals with a Disabilities Act (IDEA); or

_____ Student does not need special education.

DESCRIPTION OF EDUCATIONAL STRATEGIES - Specific ACCOMMODATIONS and/or services, or supplementary aids needed by the student to benefit from the educational program.

PLACEMENT - The educational program must be in the least restrictive environment.

NOTE: The student's record must contain documentation that procedural safeguards were granted to the student and parents.

STUDENT ACCOMMODATIONS
(Sample)

Name: _____ School: _____

Date of Birth: _____ Grade: _____

1. Describe the nature of the concern:

_____

_____

_____

2. Describe the basis for the determination of disability:

_____

_____

3. Describe how the disability affects a major life activity:

_____

_____

4. Describe the services and/or accommodations that are necessary:

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Review/ReassessmentDate: _____
(Must be completed)

_____ _____

_____ _____

_____ _____

_____ _____

c: Student's Cumulative File

STUDENT ACCOMMODATION PLAN
SECTION 504
(Sample)

Student: _____ Date: _____

School: _____ DOB: _____

PART 1: JUSTIFICATION FOR SERVICES

1. Is the student disabled under Section 504?

   [ ] YES [ ] NO

   [ ] The student has a physical or mental impairment which substantially limits one or more of his/her major life activities.

   [ ] caring for one's self
   [ ] performing manual tasks
   [ ] walking
   [ ] seeing
   [ ] breathing
   [ ] hearing
   [ ] speaking
   [ ] working
   [ ] learning

   How does the disability affect a major life activity?

   _____

   _____

OR

   [ ] Has a record of such a disability?

   _____

   _____

OR

   [ ] Is regarded (perceived) as having such a disability?

   _____

   _____

2. Briefly document the basis for determining the disability: _____

   _____

   _____

   _____

   _____

PART II STUDENT ACCOMMODATIONS

Accommodation 1: _____

_____

Objective: _____

_____

Objective: _____

_____

Accommodation 2: _____

_____

Objective: _____

_____

Objective: _____

_____

Accommodation 3: _____

_____

Objective: _____

_____

Objective: _____

_____

DURATION OF ACCOMMODATION(S) From _____ To _____

Review/Reassessmentdate: _____

Participants

Name	Title	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

c: Student's Cumulative File

504 SERVICE DELIVERY PLAN
(Sample)

School district_____ Date_____

Student _____ Birthdate_____ Grade_____ School_____

Disability:_____ Effective Dates_____to_____

ELIGIBILITY FOR 504 ASSISTANCE (check applicable areas):

[ ]	caring for one's self	[ ]	speaking
[ ]	performing manual tasks	[ ]	breathing
[ ]	walking	[ ]	learning
[ ]	seeing	[ ]	working
[ ]	hearing	[ ]	other_____

Describe areas of need/action to be taken:_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

SERVICES REQUIRED

Regular Class_____

_____

Aide_____

Occ. Therapy_____

Physical Therapy_____

Adaptive PE_____

Visually Imp._____

Hearing Imp._____

Interpreter_____

Transportation_____

Other_____

_____

Team signatures	Position	Date
_____	_____	_____
_____	_____	_____
_____	_____	_____

Annual Review Date:_____

[ ] Continue [ ] Terminate [ ] Re-evaluate

Comments:_____

_____

_____

_____

70

Accommodations: _____

1 _____

_____

2 _____

_____

3 _____

_____

4 _____

_____

5 _____

_____

6 _____

_____

7 _____

_____

8 _____

_____

9 _____

_____

10 _____

Appendices

Additional Information about Section 504 and ADA

A. Training Overheads

B. Section 504 of the Rehabilitation Act of 1973

C. Uniform Federal Accessibility Standards (UFAS)

D. Section 504 Self-Evaluation

72

Appendix A

Section 504 /ADA Inservice

TRAINING OVERHEADS

The following points are a series of concepts regarding Section 504 and ADA. The individual responsible for Section 504 in the school district could take each issue and create overheads or slides that could be used to inservice the school staff. This should help increase awareness and understanding of obligations and responsibilities under Section 504 and ADA.

1. Section 504 protects persons from discrimination based upon their disability status.

2. A person is disabled within the definition of Section 504 if he or she:

   a. has a mental or physical impairment which substantially limits one or more of such person's major life activities;

   b. has a record of such impairments; or

   c. is regarded as having such an impairment.

3. "Major life activities" include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

4. With respect to employment, a qualified person with disabilities is a person who, with reasonable accommodations, can perform the essential functions of the job in question.

5. No qualified person with a disability shall be denied the benefits of, be excluded from participation in, or be otherwise subjected to discrimination under any program or activity because facilities are inaccessible or unusable.

6. Section 504 falls under the responsibility of the regular education program.

7. The determination of what services and/or accommodations are needed must be made by a group of persons knowledgeable about the student.

8. The parents should be included in this process whenever possible.

9. Accommodation — adjustments or modifications made by classroom teacher(s) and other school staff to enable the students to benefit from their educational program. In some cases a plan should be developed outlining services and/or accommodations.

10. Office of Civil Rights (OCR) — has three primary responsibilities; investigating complaints, conducting compliance reviews, and providing technical assistance.

11. Public Notice — all school districts are required to provide public notice and internal notice (i.e., to staff and students) stating they do not discriminate on the basis of a disability.

12. Section 504 Coordinator — school districts employing 15 or more persons must assign a person to coordinate compliance with Section 504 regulations. It is recommended that all school districts have a 504 Coordinator.

13. Uniform Federal Accessibility Standards (UFAS) — UFAS are the standards the federal government uses to meet Section 504's accessibility requirements for the design, construction and alteration of buildings

14. It is recommended that the school district's ongoing child find locate and identify students who might qualify under Section 504.

15. Referrals are received from parents, individual teachers, adult age students and/or community agencies.

16. The presenting problem(s) and previous remedies should be considered and utilized. The summary should include all current evaluations and recommendations for additional evaluation.

17. The school district should periodically notify the parent(s), in writing, of the school's reason and intent to conduct an evaluation. The notice could include due process rights and a description of the evaluation.

18. Section 504 requires that a school district evaluate all students with disabilities before making an initial placement or any subsequent, significant change in his or her placement.

19. The school receives parental consent and initiates any required evaluations.

Guidelines for Educators

20. The classroom teacher(s) and/or school staff make the necessary accommodations to allow for the student's disability. Parents should be consulted and give input regarding the accommodations. In most cases this process will not need a formal team meeting.

21. In cases where major services and/or accommodations are necessary, the Coordinator plans a 504 Conference Committee Meeting and identifies all staff and parent(s) who should be included in the meeting.

22. The following factors should be considered:

    a. Section 504 eligibility;

    b. the student's unmet needs;

    c. services and/or accommodations based on eligibility;

    d. discuss and plan possible staff inservice.

23. The accommodations and/or services are implemented.

24. Each students accommodations and/or services will be reviewed at least annually.

25. The Americans with Disabilities Act (ADA) is a civil rights law that prohibits discrimination against persons with disabilities in the private sector employment and ensures equal access to public accommodations, public services, transportation, and telecommunications.

26. The ADA has the following purposes:

    - To provide a clear and comprehensive national mandate to end discrimination against persons with disabilities.
    - To provide enforceable standards addressing discrimination against persons with disabilities.
    - To ensure that the federal government plays a central role in enforcing these standards.

27. Employers may not discriminate against an individual with a disability in hiring or promotion if the person is otherwise qualified for the job.

28. Employers will need to provide "reasonable accommodations" to individuals with disabilities. This includes steps such as job restructuring and modification of equipment.

29. Self-Evaluation — Section 504 requires that federal fund recipients evaluate their programs, physical accessibility, and employment practices to determine the extent to which programs and activities require modification to ensure full participation by students with disabilities. These evaluations should be updated frequently.

30. Transition — if a recipient determines that structural modifications are necessary to meet Section 504 program accessibility requirements, the school must develop a plan specifying the steps necessary to complete such changes and the time frame for completion.

SECTION 504 QUIZ

Y N 1. Section 504 is a special education responsibility.

Y N 2. All students who are covered under the IDEA are covered under Section 504.

Y N 3. All students who are covered under Section 504 are covered under IDEA.

Y N 4. Disagreements between parents and school officials regarding services a student needs under Section 504 are not subject to due process hearings.

Y N 5. A student who has a disability, but does not need special education, is not entitled to an individualized program under Section 504.

Y N 6. A parent who is deaf is entitled to sign language interpreter services to participate in his/her child's school activities, even if the student does not have a disability.

Y N 7. A school district can use the hearing procedures designed for IDEA to hear Section 504 cases.

Y N 8. If a student qualifies for Section 504 services, reasonable accommodations must be made so the student will benefit from his/her education. B education plan must be developed that outlines special accommodations.

Y N 9. The school district is required to give notice to the parents regarding Section 504 and ADA rights.

Y N 10. School districts of fifteen employees or more are required to have a "504 Coordinator" to deal with 504.

Y N 11. Is a student with a temporary disability (example car accident recovery) covered under Section 504?

Y N 12. IDEA monies can be used for students who are eligible only under Section 504.

Y N 13. Parental consent is required before a student is evaluated or placed for Section 504 services.

Y N 14. Child Find procedures utilized for compliance with IDEA can be used for identification of students who may qualify under Section 504.

Y N 15. Section 504 uses the same disability categories as IDEA.

5

(ANSWERS)

1. N
2. Y
3. N
4. N
5. N
6. Y
7. Y
8. Y
9. Y
10. Y
11. Y
12. N
13. N
14. Y
15. N

6

Appendix B

Section 504 of the Rehabilitation Act of 1973

STATISTICS ON UTAH'S DISABLED POPULATION

- 207,572 Utahns, 12 percent of the state's population, have a mental or physical disability. One of every five Americans over 15 has a disability.
- 19,069 people with disabilities are in the Utah labor force, 3,642 of which are employed full-time.
- 56,752 Utahns are in need of rehabilitation services.
- 17,027 people in Utah use or need special equipment (assistive technology) such as wheelchairs, hearing amplifiers, or braille typewriters to maintain employment.

—Utah Assistive Technology Program

34 C.F.R. Part 104

NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE

(34 Code of Federal Regulations Part 104)

Subpart A—General Provisions

Reg.

104.1 Purpose
104.2 Application
104.3 Definitions
104.4 Discrimination prohibited
104.5 Assurances required
104.6 Remedial action, voluntary action, and self-evaluation
104.7 Designation of responsible employee and adoption of grievance procedures
104.8 Notice
104.9 Administrative requirements for small recipients
104.10 Effect of state or local law or other requirements and effect of employment opportunities

Subpart B—Employment Practices

104.11 Discrimination prohibited
104.12 Reasonable accommodation
104.13 Employment criteria
104.14 Preemployment inquiries

Subpart C—Program Accessibility

104.21 Discrimination prohibited
104.22 Existing facilities
104.23 New construction

Subpart D—Preschool, Elementary, And Secondary Education

104.31 Application of this subpart
104.32 Location and notification
104.33 Free appropriate public education
104.34 Educational setting
104.35 Evaluation and placement
104.36 Procedural safeguards
104.37 Nonacademic services
104.38 Preschool and adult education programs
104.39 Private education programs

Subpart E—Postsecondary Education

104.41 Application of this subpart
104.42 Admissions and recruitment
104.43 Treatment of students; general
104.44 Academic adjustments
104.45 Housing
104.46 Financial and employment assistance to students
104.47 Nonacademic services

Subpart F—Health, Welfare, And Social Services

104.51 Application of this subpart
104.52 Health, welfare, and other social services
104.53 Drug and alcohol addicts
104.54 Education of institutionalized persons

Subpart G—Procedures

104.61 Procedures

(Authority: Sec. 504, Rehabilitation Act of 1973, Pub. L. 93-112, 87 Stat. 394 (29 U.S.C. 794); sec. 111(a), Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 88 Stat. 1619 (29 U.S.C. 706); sec. 606, Education of the Handicapped Act (20 U.S.C. 14050, as amended by Pub. L. 94-142, 89 Stat. 795.

[Source: 45 FR 30936, May 9, 1980, unless otherwise noted.]

Editorial Note: For an interpretation document affecting Part 104, see 46 FR 4912, Jan. 19, 1981. The effective date of the interpretation was deferred to March 30, 1981, at 46 FR 12495, Feb. 17, 1981. The effective date was again deferred to May 10, 1981, at 46 FR 18975, March 27, 1981, and deferred until further notice at 46 FR 25614, May 8, 1981.

Subpart A—General Provisions

Reg. 104.1 Purpose.

The purpose of this part is to effectuate section 504 of the Rehabilitation Act of 1973, which is designed to eliminate discrimination on the basis of handicap in any program or activity receiving Federal financial assistance.

Reg. 104.2 Application.

This part applies to each recipient of Federal financial assistance from the Department of Education and to each program or activity that receives or benefits from such assistance.

Reg. 104.3 Definitions.

As used in this part, the term:

(a) "The Act" means the Rehabilitation Act of 1973, Pub. L. 93-112, as amended by the Rehabilitation Act Amendments of 1974, Pub. L. 93-516, 29 U.S.C. 794.

(b) "Section 504" means section 504 of the Act.

(c) "Education of the Handicapped Act" means that statute as amended by the Education for all Handicapped Children Act of 1975, Pub. L. 94-142, 20 U.S.C. 1401 *et seq.*

(d) "Department" means the Department of Education.

(e) "Assistant Secretary" means the Assistant Secretary for Office for Civil Rights of the Department of Education.

(f) "Recipient" means any state or its political subdivision, any instrumentality of a state or its political subdivision, any public or private agency, institution, organization, or other entity, or any person to which Federal financial assistance is extended directly or through another recipient, including any successor, assignee, or transferee of a recipient, but excluding the ultimate beneficiary of the assistance.

(g) "Applicant for assistance" means one who submits an application, request, or plan required to be approved by a Department official or by a recipient as a condition to becoming a recipient.

(h) "Federal financial assistance" means any grant, loan, contract (other than a procurement contract or a contract of insurance or guaranty), or any other arrangement by which the Department provides or otherwise makes available assistance in the form of:

(1) Funds;

(2) Services of Federal personnel; or

(3) Real and personal property or any interest in or use of such property, including;

(i) Transfers or leases of such property for less than fair market value or for reduced consideration; and

(ii) Proceeds from a subsequent transfer or lease of such property if the Federal share of its fair market value is not returned to the Federal Government.

(i) "Facility" means all or any portion of buildings, structures, equipment, roads, walks, parking lots, or other real or personal property or interest in such property.

(j) "Handicapped person." (1) "Handicapped persons" means any person who (i) has a physical or mental impairment, which substantially limits one or more major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment.

(2) As used in paragraph (j)(1) of this section, the phrase:

(i) "Physical or mental impairment" means (A) any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems; neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive, genito-urinary; hermic and lymphatic; skin; and endocrine; or (B) any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities.

(ii) "Major life activities" means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

(iii) "Has a record of such an impairment" means has a history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.

(iv) "Is regarded as having an impairment" means (A) has a physical or mental impairment that does not substantially limit major life activities but that is treated by a recipient as constituting such a limitation; (B) has a physical or mental impairment that substantially limits major life activities only as a result of the attitudes of others toward such impairment; or (C) has none of the impairments defined in paragraph (j)(2)(i) of this section but is treated by a recipient as having such an impairment.

(k) "Qualified handicapped persons" means:

(1) With respect to employment, a handicapped person who, with reasonable accommodation, can perform the essential functions of the job in question;

(2) With respect to public preschool, elementary, secondary, or adult educational services, a handicapped person (i) of an age during which nonhandicapped persons are provided such services, (ii) of an age during which it is mandatory under state law to provide such services to handicapped persons, or (iii) to whom a state is required to provide a free appropriate public education under Sec. 612 of the Education of the Handicapped Act, and

(3) With respect to postsecondary and vocational education services, a handicapped person who meets the academic and technical standards requisite to admission or participation in the recipient's education program or activity;

(4) With respect to other services, a handicapped person who meets the essential eligibility requirements for the receipt of such services.

(l) "Handicap" means any condition or characteristic that renders a person a handicapped person as defined in paragraph (j) of this section.

Reg. 104.4 Discrimination prohibited.

(a) *General.* No qualified handicapped person shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance.

(b) *Discriminatory actions prohibited.* (1) A recipient, in providing any aid, benefit, or service, may not, directly or through contractual, licensing, or other arrangements, on the basis of handicap:

(i) Deny a qualified handicapped person the opportunity to participate in or benefit from the aid, benefit, or service;

(ii) Afford a qualified handicapped person an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded others;

(iii) Provide a qualified handicapped person with an aid, benefit, or service that is not as effective as that provided to others;

(iv) Provide different or separate aid, benefits, or services to handicapped persons or to any class of handicapped persons unless such action is necessary to provide qualified handicapped persons with aid, benefits, or services that are as effective as those provided to others;

(v) Aid or perpetuate discrimination against a qualified handicapped person by providing significant assistance to an agency, organization, or person that discriminates on the basis of handicap in providing any aid, benefit, or service to beneficiaries of the recipient's program;

(vi) Deny a qualified handicapped person the opportunity to participate as a member of planning or advisory boards; or

(vii) Otherwise limit a qualified handicapped person in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service.

(2) For purposes of this part, aids, benefits, and services, to be equally effective, are not required to produce the identical result or level of achievement for handicapped and nonhandicapped persons, but must afford handicapped persons equal opportunity to obtain the same result, to gain the same benefit, or to reach the same level of achievement, in the most integrated setting appropriate to the person's needs.

(3) Despite the existence of separate or different programs or activities provided in accordance with this part, a recipient may not deny a qualified handicapped person the opportunity to participate in such programs or activities that are not separate or different.

(4) A recipient may not, directly or through contractual or other arrangements, utilize criteria or methods of administration (i) that have the effect of subjecting qualified handicapped persons to discrimination of the basis of handicap, (ii) that have the purpose or effect of defeating or substantially impairing accomplishment of the objectives of the recipient's program with respect to handicapped persons, or (iii) that perpetuate the discrimination of another recipient if both recipients are subject to common administrative control or are agencies of the same State.

(5) In determining the site or location of a facility, an applicant for assistance or a recipient may not make selections (i) that have the effect of excluding handicapped persons from, denying them the benefits of, or otherwise subjecting them to discrimination under any program or activity that receives or benefits from Federal financial assistance or (ii) that have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the program or activity with respect to handicapped persons.

(6) As used in this section, the aid, benefit, or service provided under a program or activity receiving or benefiting from Federal financial assistance includes any aid, benefit, or service provided in or through a facility that has been constructed, expanded, altered, leased or rented, or otherwise acquired, in whole or in part, with Federal financial assistance.

(c) *Programs limited by Federal law.* The exclusion of nonhandicapped persons from the benefits of a program limited by Federal statute or executive order to handicapped persons or the exclusion of a specific class of handicapped persons from a program limited by Federal statute or executive order to a different class of handicapped persons is not prohibited by this part.

Reg. 104.5 Assurances required.

(a) *Assurances.* An applicant for Federal financial assistance for a program or activity to which this part applies shall submit an assurance, on a form specified by the Director, that the program will be operated in compliance with this part. An applicant may incorporate these assurances by reference in subsequent applications to the Department.

(b) *Duration of obligation.* (1) In the case of Federal financial assistance extended in the form of real property or to provide real property or structures on the property, the assurance will obligate the recipient or, in the case of a subsequent transfer, the transferee, for the period during which the real property of structures are used for the purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.

(2) In the case of Federal financial assistance extended to provide personal property, the assurance will obligate the recipient for the period during which it retains ownership or possession of the property.

(3) In all other cases the assurance will obligate the recipient for the period during which Federal financial assistance is extended.

(c) *Covenants.* (1) Where Federal financial assistance is provided in the form of the real property or interest in the property from the Department, the instrument effecting or recording this transfer shall contain a covenant running with the land to assure nondiscrimination for the period during which the real property is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefit.

(2) Where no transfer of property is involved but property is purchased or improved with Federal financial assistance, the recipient shall agree to include the covenant described in paragraph (b)(2) of this section in the instrument effecting or recording any subsequent transfer of the property.

(3) Where Federal financial assistance is provided in the form of real property or interest in the property from the Department, the covenant shall also include a condition coupled with a right to be reserved by the Department to revert title to the property in the event of a breach of the covenant. If a transferee of real property proposes to mortgage or otherwise encumber the real property as security for financing construction of new, or improvement of existing, facilities on the property for the purposes for which the property was transferred, the Assistant Secretary may, upon request of the trans-

feree and if necessary to accomplish such financing and upon such conditions as he or she deems appropriate, agree to forbear the exercise of such right to revert title for so long as the lien of such mortgage or other encumbrance remains effective.

Reg. 104.6 Remedial action, voluntary action, and self-evaluation.

(a) *Remedial action.* (1) If the Assistant Secretary finds that a recipient has discriminated against persons on the basis of handicap in violation of section 504 or this part, the recipient shall take such remedial action as the Assistant Secretary deems necessary to overcome the effects of the discrimination.

(2) Where a recipient is found to have discriminated against persons on the basis of handicap in violation of section 504 or this part and where another recipient exercises control over the recipient that has discriminated, the Assistant Secretary, where appropriate, may require either or both recipients to take remedial action.

(3) The Assistant Secretary may, where necessary to overcome the effects of discrimination in violation of section 504 or this part, require a recipient to take remedial action (i) with respect to handicapped persons who are no longer participants in the recipient's program but who were participants in the program when such discrimination occurred or (ii) with respect to handicapped persons who would have been participants in the program had the discrimination not occurred.

(b) *Voluntary action.* A recipient may take steps, in addition to any action that is required by this part, to overcome the effects of conditions that resulted in limited participation in the recipient's program or activity by qualified handicapped persons.

(c) *Self-evaluation.* (1) A recipient shall, within one year of the effective date of this part:

(i) Evaluate, with the assistance of interested persons, including handicapped persons or organizations representing handicapped persons, its current policies and practices and the effects thereof that do not or may not meet the requirements of this part;

(ii) Modify, after consultation with interested persons, including handicapped persons or organizations representing handicapped persons, any policies and practices that do not meet the requirements of this part; and

(iii) Take, after consultation with interested persons, including handicapped persons or organizations representing handicapped persons, appropriate remedial steps to eliminate the effects of any discrimination that resulted from adherence to these policies and practices.

(2) A recipient that employs fifteen or more persons shall, for at least three years following completion of the evaluation required under paragraph (c)(1) of this section, maintain on file, make available for public inspection, and provide to the Assistant Secretary upon request: (i) a list of the interested persons consulted, (ii) a description of areas examined and any problems identified, and (iii) a description of any modifications made and of any remedial steps taken.

Reg. 104.7 Designation of responsible employee and adoption of grievance procedures.

(a) *Designation of responsible employee.* A recipient that employs fifteen or more persons shall designate at least one person to coordinate its efforts to comply with this part.

(b) *Adoption of grievance procedures.* A recipient that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part. Such procedures need not be established with respect to complaints from applicants for employment or from applicants for admission to postsecondary educational institutions.

Reg. 104.8 Notice.

(a) A recipient that employs fifteen or more persons shall take appropriate initial and continuing steps to notify participants, beneficiaries, applications, and employees, including those with impaired vision or hearing, and unions or professional organizations holding collective bargaining or professional agreements with the recipient that it does not discriminate on the basis of handicap in violation of section 504 and this part. The notification shall state, where appropriate, that the recipient does not discriminate in admission or access to, or treatment or employment in, its programs and activities. The notification shall also include an identification of the responsible employee designated pursuant to Reg. 104.7(a). A recipient shall make the initial notification required by this paragraph within 90 days of the effective date of this part. Methods of initial and continuing notification may include the posting of notices, publication in newspapers and magazines, placement of notices in recipient's publication, and distribution of memoranda or other written communications.

(b) If a recipient publishes or uses recruitment materials or publications containing general information that it makes available to participants, beneficiaries, applicants, or employees, it shall include in those materials or publications a statement of the policy described in paragraph (a) of this section. A recipient may meet the requirement of this paragraph either by including appropriate inserts in existing materials and publications or by revising and reprinting the materials and publications.

Reg. 104.9 Administrative requirements for small recipients.

The Assistant Secretary may require any recipient with fewer than fifteen employees, or any class of such recipients, to comply with Regs. 104.7 and 104.8, in whole or in part, when the Assistant Secretary finds a violation of this part or finds that such compliance will not significantly impair the ability of the recipient or class of recipients to provide benefits or services.

Reg. 104.10 Effect of state or local law or other requirements and effect of employment opportunities.

(a) The obligation to comply with this part is not obviated or alleviated by the existence of any state or local law or other requirement that, on the basis of handicap, imposes prohibitions or limits upon the eligibility of qualified handicapped persons to receive services or to practice any occupation or profession.

(b) The obligation to comply with this part is not obviated or alleviated because employment opportunities in any occupation or profession are or may be more limited for handicapped persons than for nonhandicapped persons.

Subpart B—Employment Practices

Reg. 104.11 Discrimination prohibited.

(a) *General.* (1) No qualified handicapped person shall, on the basis of handicap, be subject to discrimination in employment under any program or activity to which this part applies.

(2) A recipient that receives assistance under the Education of the Handicapped Act shall take positive steps to employ and advance in employment qualified handicapped persons in programs assisted under that Act.

(3) A recipient shall make all decisions concerning employment under any program or activity to which this part applies in a manner which ensures that discrimination on the basis of handicap does not occur and may not limit, segregate, or classify applicants or employees in any way that adversely affects their opportunities or status because of handicap.

(4) A recipient may not participate in a contractual or other relationship that has the effect of subjecting qualified handicapped applicants or employees to discrimination prohibited by this subpart. The relationships referred to in this subparagraph include relationships with employment and referral agencies, with labor unions, with organizations providing or administering fringe benefits to employees of the recipient, and with organizations providing training and apprenticeship programs.

(b) *Specific activities.* The provisions of this subpart apply to:

(1) Recruitment, advertising, and the processing of applications for employment;

(2) Hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from lay off and rehiring;

(3) Rates of pay or any other form of compensation and changes in compensation;

(4) Job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

(5) Leaves of absence, sick leave, or any other leave;

(6) Fringe benefits available by virtue of employment, whether or not administered by the recipient;

(7) Selection and financial support for training, including apprenticeship, professional meetings, conferences, and other related activities, and selection for leaves of absence to pursue training;

(8) Employer sponsored activities including social or recreational programs; and

(9) Any other term, condition, or privilege of employment.

(c) A recipient's obligation to comply with this subpart is not affected by any inconsistent term of any collective bargaining agreement to which it is a party.

Reg. 104.12 Reasonable accommodation.

(a) A recipient shall make reasonable accommodation to the known physical or mental limitations of an otherwise qualified handicapped applicant or employee unless the recipient can demonstrate that the accommodation would impose an undue hardship on the operation of its program.

(b) Reasonable accommodation may include: (1) making facilities used by employees readily accessible to and usable by handicapped persons, and (2) job restructuring, part-time or modified work schedules, acquisition or modification of equipment or devices, the provision of readers or interpreters, and other similar actions.

(c) In determining pursuant to paragraph (a) of this section whether an accommodation would impose an undue hardship on the operation of a recipient's program, factors to be considered include:

(1) The overall size of the recipient's program with respect to number of employees, number and type of facilities, and size of budget;

(2) The type of the recipient's operation, including the composition and structure of the recipient's workforce; and

(3) The nature and cost of the accommodation needed.

(d) A recipient may not deny any employment opportunity to a qualified handicapped employee or applicant if the basis for the denial is the need to make reasonable accommodation to the physical or mental limitations of the employee or applicant.

Reg. 104.13 Employment criteria.

(a) A recipient may not make use of any employment test or other selection criterion that screens out or tends to screen out handicapped persons or any class of handicapped persons unless: (1) the test score or other selection criterion, as used by the recipient, is shown to be job-related for the position in question, and (2) alternative job-related tests or criteria that do not screen out or tend to screen out as many handicapped persons are not shown by the Director to be available.

(b) A recipient shall select and administer tests concerning employment so as best to ensure that, when administered to an applicant or employee who has a handicap that impairs

sensory, manual, or speaking skills, the test results accurately reflect the applicant's or employee's job skills, aptitude, or whatever other factor the test purports to measure, rather than reflecting the applicant's or employee's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

Reg. 104.14 Preemployment inquiries.

(a) Except as provided in paragraphs (b) and (c) of this section, a recipient may not conduct a preemployment medical examination or may not make preemployment inquiry of an applicant as to whether the applicant is a handicapped person or as to the nature or severity of a handicap. A recipient may, however, make preemployment inquiry into an applicant's ability to perform job-related functions.

(b) When a recipient is taking remedial action to correct the effects of past discrimination pursuant to Reg. 104.6(a), when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to Reg. 104.6(b), or when a recipient is taking affirmative action pursuant to section 503 of the Act, the recipient may invite applicants for employment to indicate whether and to what extent they are handicapped. *Provided*, That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary or affirmative action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential as provided in paragraph (d) of this section, that refusal to provide it will not subject the applicant or employee to any adverse treatment, and that it will be used only in accordance with this part.

(c) Nothing in this section shall prohibit a recipient from conditioning an offer of employment on the results of a medical examination conducted prior to the employee's entrance on duty, *Provided*, That: (1) All entering employees are subjected to such an examination regardless of handicap, and (2) the results of such an examination are used only in accordance with the requirements of this part.

(d) Information obtained in accordance with this section as to the medical condition or history of the applicant shall be collected and maintained on separate forms that shall be accorded confidentiality as medical records, except that:

(1) Supervisors and managers may be informed regarding restrictions on the work or duties of handicapped persons and regarding necessary accommodations;

(2) First aid and safety personnel may be informed, where appropriate, if the condition might require emergency treatment; and

(3) Government officials investigating compliance with the Act shall be provided relevant information upon request.

Subpart C—Program Accessibility

Reg. 104.21 Discrimination prohibited.

No qualified handicapped person shall, because a recipient's facilities are inaccessible to or unusable by handicapped persons, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which this part applies.

Reg. 104.22 Existing facilities.

(a) *Program accessibility.* A recipient shall operate each program or activity to which this part applies so that the program or activity, when viewed in its entirety, is readily accessible to handicapped persons. This paragraph does not require a recipient to make each of its existing facilities or every part of a facility accessible to and usable by handicapped persons.

(b) *Methods.* A recipient may comply with the requirements of paragraph (a) of this section through such means as redesign of equipment, reassignment of classes or other services to accessible buildings, assignment of aides to beneficiaries, home visits, delivery of health, welfare, or other social services at alternative accessible sites, alteration of existing facilities and construction of new facilities in conformance with the requirements of Reg. 104.23, or any other methods that result in making its program or activity accessible to handicapped persons. A recipient is not required to make structural changes in existing facilities where other methods are effective in achieving compliance with paragraph (a) of this section. In choosing among available methods for meeting the requirement of paragraph (a) of this section, a recipient shall give priority to those methods that offer programs and activities to handicapped persons in the most integrated setting appropriate.

(c) *Small health, welfare, or other social service providers.* If a recipient with fewer than fifteen employees that provides health, welfare, or other social services finds, after consultation with a handicapped person seeking its services, that there is no method of complying with paragraph (a) of this section other than making a significant alteration in its existing facilities, the recipient may, as an alternative, refer the handicapped person to other providers of those services that are accessible.

(d) *Time period.* A recipient shall comply with the requirement of paragraph (a) of this section within sixty days of the effective date of this part except that where structural changes in facilities are necessary, such changes shall be made within three years of the effective date of this part, but in any event as expeditiously as possible.

(e) *Transition plan.* In the event that structural changes to facilities are necessary to meet the requirement of paragraph (a) of this section, a recipient shall develop, within six months of the effective date of this part, a transition plan setting forth the steps necessary to complete such changes. The plan shall be developed with the assistance of interested persons, including handicapped persons or organizations repre-

senting handicapped persons. A copy of the transition plan shall be made available for public inspection. The plan shall, at a minimum:

(1) Identify physical obstacles in the recipient's facilities that limit the accessibility of its program or activity to handicapped persons;

(2) Describe in detail the methods that will be used to make the facilities accessible;

(3) Specify the schedule for taking the steps necessary to achieve full program accessibility and, if the time period of the transition plan is longer than one year, identify the steps that will be taken during each year of the transition period; and

(4) Indicate the person responsible for implementation of the plan.

(f) *Notice.* The recipient shall adopt and implement procedures to ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by handicapped persons.

Reg. 104.23 New construction.

(a) *Design and construction.* Each facility or part of a facility constructed by, on behalf of, or for the use of a recipient shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by handicapped persons, if the construction was commenced after the effective date of this part.

(b) *Alteration.* Each facility or part of a facility which is altered by, on behalf of, or for the use of a recipient after the effective date of this part in a manner that affects or could affect the usability of the facility or part of the facility shall, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by handicapped persons.

(c) *American National Standards Institute accessibility standards.* Design, construction, or alteration of facilities in conformance with the "American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped," published by the American National Standards Institute, Inc. (ANSI A117.1-1961 (R1971))[1] which is incorporated by reference in this part, shall constitute compliance with paragraphs (a) and (b) of this section. Departures from particular requirements of those standards by the use of other methods shall be permitted when it is clearly evidence that equivalent access to the facility is thereby provided. Incorporation by reference provisions approved by the Director of the Federal Register, May 27, 1978. Incorporated documents are on file at the Office of the Federal Register.

[1] Copies of the standards are obtainable from American National Standards Institute, Inc., 1430 Broadway, New York, N.Y. 10018.

[45 FR 30936, May 9, 1980; 45 FR 37426, June 3, 1980]

Subpart D—Preschool, Elementary, And Secondary Education

Reg. 104.31 Application of this subpart.

Subpart D applies to preschool, elementary, secondary, and adult education programs and activities that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of such programs or activities.

Reg. 104.32 Location and notification.

A recipient that operates a public elementary or secondary education program shall annually:

(a) Undertake to identify and locate every qualified handicapped person residing in the recipient's jurisdiction who is not receiving a public education; and

(b) Take appropriate steps to notify handicapped persons and their parents or guardian of the recipient's duty under this subpart.

Reg. 104.33 Free appropriate public education.

(a) *General.* A recipient that operates a public elementary or secondary education program shall provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap.

(b) *Appropriate education.* (1) For the purpose of this subpart, the provision of an appropriate education is the provision of regular or special education and related aids and services that (i) are designed to meet individual educational needs of handicapped persons as adequately as the needs of nonhandicapped persons are met and (ii) are based upon adherence to procedures that satisfy the requirements of Regs. 104.34, 104.35, and 104.36.

(2) Implementation of an individualized education program developed in accordance with the Education of the Handicapped Act is one means of meeting the standard established in paragraph (b)(1)(i) of this section.

(3) A recipient may place a handicapped person in or refer such person to a program other than the one that it operates as its means of carrying out the requirements of this subpart. If so, the recipient remains responsible for ensuring that the requirements of this subpart are met with respect to any handicapped person so placed or referred.

(c) *Free education*—(1) *General.* For the purpose of this section, the provision of a free education is the provision of educational and related services without cost to the handicapped person or to his or her parents or guardian, except for those fees that are imposed on nonhandicapped persons or their parents or guardian. It may consist either of the provision of free services or, if a recipient places a handicapped person in or refers such person to a program not operated by the recipient as its means of carrying out the requirements of this subpart, of payment for the costs of the program. Funds available from any public or private agency may be used to meet the require-

ments of this subpart. Nothing in this section shall be construed to relieve an insurer or similar third party from an otherwise valid obligation to provide or pay for services provided to a handicapped person.

(2) *Transportation.* If a recipient places a handicapped person in or refers such person to a program not operated by the recipient as its means of carrying out the requirements of this subpart, the recipient shall ensure that adequate transportation to and from the program is provided at no greater cost than would be incurred by the person or his or her parents or guardian if the person were placed in the program operated by the recipient.

(3) *Residential placement.* If placement in a public or private residential program is necessary to provide a free appropriate public education to a handicapped person because of his or her handicap, the program, including nonmedical care and room and board, shall be provided at no cost to the person or his or her parents or guardian.

(4) *Placement of handicapped persons by parents.* If a recipient has made available, in conformance with the requirements of this section and Reg. 104.34, a free appropriate public education to a handicapped person and the person's parents or guardian choose to place the person in a private school, the recipient is not required to pay for the person's education in the private school. Disagreements between a parent or guardian and a recipient regarding whether the recipient has made such a program available or otherwise regarding the question of financial responsibility are subject to the due process procedures of Reg. 104.36.

(d) *Compliance.* A recipient may not exclude any qualified handicapped person from a public elementary or secondary education after the effective date of this part. A recipient that is not, on the effective date of this regulation, in full compliance with the other requirements of the preceding paragraphs of this section shall meet such requirements at the earliest practicable time and in no event later than September 1, 1978.

Reg. 104.34 Educational setting.

(a) *Academic setting.* A recipient to which this subpart applies shall educate, or shall provide for the education of, each qualified handicapped person in its jurisdiction with persons who are not handicapped to the maximum extent appropriate to the needs of the handicapped person. A recipient shall place a handicapped person in the regular educational environment operated by the recipient unless it is demonstrated by the recipient that the education of the person in the regular environment with the use of supplementary aids and services cannot be achieved satisfactorily. Whenever a recipient places a person in a setting other than the regular educational environment pursuant to this paragraph, it shall take into account the proximity of the alternate setting to the person's home.

(b) *Nonacademic settings.* In providing or arranging for the provision of nonacademic and extracurricular services and activities, including meals, recess periods, and the services and activities set forth in Reg. 104.37(a)(2), a recipient shall ensure that handicapped persons participate with nonhandicapped persons in such activities and services to the maximum extent appropriate to the needs of the handicapped person in question.

(c) *Comparable facilities.* If a recipient, in compliance with paragraph (a) of this section, operates a facility that is identifiable as being for handicapped persons, the recipient shall ensure that the facility and the services and activities provided therein are comparable to the other facilities, services, and activities of the recipient.

Reg. 104.35 Evaluation and placement.

(a) *Preplacement evaluation.* A recipient that operates a public elementary or secondary education program shall conduct an evaluation in accordance with the requirements of paragraph (b) of this section of any person who, because of handicap, needs or is believed to need special education or related services before taking any action with respect to the initial placement of the person in a regular or special education program and any subsequent significant change in placement.

(b) *Evaluation procedures.* A recipient to which this subpart applies shall establish standards and procedures for the evaluation and placement of persons who, because of handicap, need or are believed to need special education or related services which ensure that:

(1) Tests and other evaluation materials have been validated for the specific purpose for which they are used and are administered by trained personnel in conformance with the instructions provided by their producer;

(2) Tests and other evaluation materials include those tailored to assess specific areas of educational need and not merely those which are designed to provide a single general intelligence quotient; and

(3) Tests are selected and administered so as best to ensure that, when a test is administered to a student with impaired sensory, manual, or speaking skills, the test results accurately reflect the student's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure).

(c) *Placement procedures.* In interpreting evaluation data and in making placement decisions, a recipient shall (1) draw upon information from a variety of sources, including aptitude and achievements tests, teacher recommendations, physical condition, social or cultural background, and adaptive behavior, (2) establish procedures to ensure that information obtained from all such sources is documented and carefully considered, (3) ensure that the placement decision is made by a group of persons, including persons knowledgeable about the child, the meaning of the evaluation data, and the placement options, and (4) ensure that the placement decision is made in conformity with Reg. 104.34.

(d) *Reevaluation.* A recipient to which this section applies shall establish procedures, in accordance with paragraph (b) of this section, for periodic reevaluation of students who have been provided special education and related services. A reevaluation procedure consistent with the Education for the Handicapped Act is one means of meeting this requirement.

Reg. 104.36 Procedural safeguards.

A recipient that operates a public elementary or secondary education program shall establish and implement, with respect to actions regarding the identification, evaluation, or educational placement of persons who, because of handicap, need or are believed to need special instruction or related services, a system of procedural safeguards that includes notice, an opportunity for the parents or guardian of the person to examine relevant records, an impartial hearing with opportunity for participation by the person's parents or guardian and representation by counsel, and a review procedure. Compliance with the procedural safeguards of section 615 of the Education of the Handicapped Act is one means of meeting this requirement.

Reg. 104.37 Nonacademic services.

(a) *General.* (1) A recipient to which this subpart applies shall provide nonacademic and extracurricular services and activities in such manner as is necessary to afford handicapped students an equal opportunity for participation in such services and activities.

(2) Nonacademic and extracurricular services and activities may include counseling services, physical recreational athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the recipients, referrals to agencies which provide assistance to handicapped persons, and employment of students, including both employment by the recipient and assistance in making available outside employment.

(b) *Counseling services.* A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these services without discrimination on the basis of handicap. The recipient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities.

(c) *Physical education and athletics.* (1) In providing physical education courses and athletics and similar programs and activities to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors interscholastic, club, or intramural athletics shall provide to qualified handicapped students an equal opportunity for participation in these activities.

(2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different from those offered to nonhandicapped students only if separation or differentiation is consistent with the requirements of Reg. 104.34 and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

Reg. 104.38 Preschool and adult education programs.

A recipient to which this subpart applies that operates a preschool education or day care program or activity or an adult education program or activity may not, on the basis of handicap, exclude qualified handicapped persons from the program or activity and shall take into account the needs of such persons in determining the aid, benefits, or services to be provided under the program or activity.

Reg. 104.39 Private education programs.

(a) A recipient that operates a private elementary or secondary education program may not, on the basis of handicap, exclude a qualified handicapped person from such program if the person can, with minor adjustments, be provided an appropriate education, as defined in Reg. 104.33(b)(1), within the recipient's program.

(b) A recipient to which this section applies may not charge more for the provision of an appropriate education to handicapped persons than to nonhandicapped persons except to the extent that any additional charge is justified by a substantial increase in cost to the recipient.

(c) A recipient to which this section applies that operates special education programs shall operate such programs in accordance with the provisions of Regs. 104.35 and 104.36. Each recipient to which this section applies is subject to the provisions of Regs. 104.34, 104.37, and 104.38.

Subpart E—Postsecondary Education

Reg. 104.41 Application of this subpart.

Subpart E applies to postsecondary education programs and activities, including postsecondary vocational education programs and activities, that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of, such programs or activities.

Reg. 104.42 Admissions and recruitment.

(a) *General.* Qualified handicapped persons may not, on the basis of handicap, be denied admission or be subjected to discrimination in admission or recruitment by a recipient to which this subpart applies.

(b) *Admissions.* In administering its admission policies, a recipient to which this subpart applies:

(1) May not apply limitations upon the number or proportion of handicapped persons who may be admitted;

(2) May not make use of any test or criterion for admission that has a disproportionate, adverse effect on handicapped persons or any class of handicapped persons unless (i) the test or criterion, as used by the recipient, has been validated as a

predictor of success in the education program or activity in question and (ii) alternate tests or criteria that have a less disproportionate, adverse effect are not shown by the Director to be available.

(3) Shall assure itself that (i) admission tests are selected and administered so as best to ensure that, when a test is administered to an applicant who has a handicap that impairs sensory, manual, or speaking skills, the test results accurately reflect the applicant's aptitude or achievement level or whatever other factor the test purports to measure, rather than reflecting the applicant's impaired sensory, manual, or speaking skills (except where those skills are the factors that the test purports to measure); (ii) admissions tests that are designed for persons with impaired sensory, manual, or speaking skills are offered as often and in as timely a manner as are other admissions tests; and (iii) admissions tests are administered in facilities that, on the whole, are accessible to handicapped persons; and

(4) Except as provided in paragraph (c) of this section, may not make preadmission inquiry as to whether an applicant for admission is a handicapped person but, after admission, may make inquiries on a confidential basis as to handicaps that may require accommodation.

(c) *Preadmission inquiry exception.* When a recipient is taking remedial action to correct the effects of past discrimination pursuant to Reg. 104.6(a) or when a recipient is taking voluntary action to overcome the effects of conditions that resulted in limited participation in its federally assisted program or activity pursuant to Reg. 104.6(b), the recipient may invite applicants for admission to indicate whether and to what extent they are handicapped. *Provided,* That:

(1) The recipient states clearly on any written questionnaire used for this purpose or makes clear orally if no written questionnaire is used that the information requested is intended for use solely in connection with its remedial action obligations or its voluntary action efforts; and

(2) The recipient states clearly that the information is being requested on a voluntary basis, that it will be kept confidential, that refusal to provide it will not subject the applicant to any adverse treatment, and that it will be used only in accordance with this part.

(d) *Validity studies.* For the purpose of paragraph (b)(2) of this section, a recipient may base prediction equations on first year grades, but shall conduct periodic validity studies against the criterion of overall success in the education program or activity in question in order to monitor the general validity of the test scores.

Reg. 104.43 Treatment of students; general.

(a) No qualified handicapped student shall, on the basis of handicap, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research, occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education program or activity to which this subpart applies.

(b) A recipient to which this subpart applies that considers participation by students in education programs or activities not operated wholly by the recipient as part of, or equivalent to, an education program or activity operated by the recipient shall assure itself that the other education program or activity, as a whole, provides an equal opportunity for the participation of qualified handicapped persons.

(c) A recipient to which this subpart applies may not, on the basis of handicap, exclude any qualified handicapped student from any course, course of study, or other part of its education program or activity.

(d) A recipient to which this subpart applies shall operate its programs and activities in the most integrated setting appropriate.

Reg. 104.44 Academic adjustments.

(a) *Academic requirements.* A recipient to which this subpart applies shall make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of handicap, against a qualified handicapped applicant or student. Academic requirements that the recipient can demonstrate are essential to the program of instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of this section. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of the degree requirements, and adaptation of the manner in which specific courses are conducted.

(b) *Other rules.* A recipient to which this subpart applies may not impose upon handicapped students other rules, such as the prohibition of tape recorders in classrooms or of dog guides in campus buildings, that have the effect of limiting the participation of handicapped students in the recipient's education program or activity.

(c) *Course examinations.* In its course examinations or other procedures for evaluating students' academic achievement in its program, a recipient to which this subpart applies shall provide such methods for evaluating the achievement of students who have a handicap that impairs sensory, manual, or speaking skills as will best ensure that the results of the evaluation represent the student's achievement in the course, rather than reflecting the student's impaired sensory, manual, or speaking skills (except where such skills are the factors that the test purports to measure).

(d) *Auxiliary aids.* (1) A recipient to which this subpart applies shall take such steps as are necessary to ensure that no handicapped student is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination under the education program or activity operated by the recipient because of the absence of educational auxiliary aids for students with impaired sensory, manual, or speaking skills.

(2) Auxiliary aids may include taped texts, interpreters or other effective methods of making orally delivered materials available to students with hearing impairments, readers in libraries for students with visual impairments, classroom equipment adapted for use by students with manual impairments, and other similar services and actions. Recipients need not provide attendants, individually prescribed devices, readers for personal use or study, or other devices or services of a personal nature.

Reg. 104.45 Housing.

(a) *Housing provided by the recipient.* A recipient that provides housing to its nonhandicapped students shall provide comparable, convenient, and accessible housing to handicapped students at the same cost as to others. At the end of the transition period provided for in Subpart C, such housing shall be available in sufficient quantity and variety so that the scope of handicapped students' choice of living accommodation is, as a whole, comparable to that of nonhandicapped students.

(b) *Other housing.* A recipient that assists any agency, organization, or person in making housing available to any of its students shall take such action as may be necessary to assure itself that such housing is, as a whole, made available in a manner that does not result in discrimination on the basis of handicap.

Reg. 104.46 Financial and employment assistance to students.

(a) *Provision of financial assistance.* (1) In providing financial assistance to qualified handicapped persons, a recipient to which this subpart applies may not, (i) on the basis of handicap, provide less assistance than is provided to nonhandicapped persons, limit eligibility for assistance, or otherwise discriminate or (ii) assist any entity or person that provides assistance to any of the recipient's students in a manner that discriminates against qualified handicapped persons on the basis of handicap.

(2) A recipient may administer or assist in the administration of scholarships, fellowships, or other forms of financial assistance established under wills, trusts, bequests, or similar legal instruments that require awards to be made on the basis of factors that discriminate or have the effect of discriminating on the basis of handicap only if the overall effect of the award of scholarships, fellowships, and other forms of financial assistance is not discriminatory on the basis of handicap.

(b) *Assistance in making available outside employment.* A recipient that assists any agency, organization, or person in providing employment opportunities to any of its students shall assure itself that such employment opportunities, as a whole, are made available in a manner that would not violate Subpart B if they were provided by the recipient.

(c) *Employment of students by recipients.* A recipient that employs any of its students may not do so in a manner that violates Subpart B.

Reg. 104.47 Nonacademic services.

(a) *Physical education and athletics.* (1) In providing physical education courses and athletics and similar programs and activities to any of its students, a recipient to which this subpart applies may not discriminate on the basis of handicap. A recipient that offers physical education courses or that operates or sponsors intercollegiate, club, or intramural athletics shall provide to qualified handicapped students an equal opportunity for participation in these activities.

(2) A recipient may offer to handicapped students physical education and athletic activities that are separate or different only if separation or differentiation is consistent with the requirements of Reg. 104.43(d) and only if no qualified handicapped student is denied the opportunity to compete for teams or to participate in courses that are not separate or different.

(b) *Counseling and placement services.* A recipient to which this subpart applies that provides personal, academic, or vocational counseling, guidance, or placement services to its students shall provide these services without discrimination on the basis of handicap. The recipient shall ensure that qualified handicapped students are not counseled toward more restrictive career objectives than are nonhandicapped students with similar interests and abilities. This requirement does not preclude a recipient from providing factual information about licensing and certification requirements that may present obstacles to handicapped persons in their pursuit of particular careers.

(c) *Social organizations.* A recipient that provides significant assistance to fraternities, sororities, or similar organizations shall assure itself that the membership practices of such organizations do not permit discrimination otherwise prohibited by this subpart.

Subpart F—Health, Welfare, And Social Services

Reg. 104.51 Application of this subpart.

Subpart F applies to health, welfare, and other social service programs and activities that receive or benefit from Federal financial assistance and to recipients that operate, or that receive or benefit from Federal financial assistance for the operation of, such programs or activities.

Reg. 104.52 Health, welfare, and other social services.

(a) *General.* In providing health, welfare, or other social services or benefits, a recipient may not, on the basis of handicap:

(1) Deny a qualified handicapped person these benefits or services;

(2) Afford a qualified handicapped person an opportunity to receive benefits or services that is not equal to that offered nonhandicapped persons;

(3) Provide a qualified handicapped person with benefits or services that are not as effective (as defined in Reg. 104.4(b) as the benefits or services provided to others;

(4) Provide benefits or services in a manner that limits or has the effect of limiting the participation of qualified handicapped persons; or

(5) Provide different or separate benefits or services to handicapped persons except where necessary to provide qualified handicapped persons with benefits and services that are as effective as those provided to others.

(b) *Notice.* A recipient that provides notice concerning benefits or services or written material concerning waivers of rights or consent to treatment shall take such steps as are necessary to ensure that qualified handicapped persons, including those with impaired sensory or speaking skills, are not denied effective notice because of their handicap.

(c) *Emergency treatment for the hearing impaired.* A recipient hospital that provides health services or benefits shall establish a procedure for effective communication with persons with impaired hearing for the purpose of providing emergency health care.

(d) *Auxiliary aids.* (1) A recipient to which this subpart applies that employs fifteen or more persons shall provide appropriate auxiliary aids to persons with impaired sensory, manual, or speaking skills, where necessary to afford such persons an equal opportunity to benefit from the service in question.

(2) The Assistant Secretary may require recipients with fewer than fifteen employees to provide auxiliary aids where the provisions of aids would not significantly impair the ability of the recipient to provide its benefits or services.

(3) For the purpose of this paragraph, auxiliary aids may include brailled and taped material, interpreters, and other aids for persons with impaired hearing or vision.

Reg. 104.53 Drug and alcohol addicts.

A recipient to which this subpart applies that operates a general hospital or outpatient facility may not discriminate in admission or treatment against a drug or alcohol abuser or alcoholic who is suffering from a medical condition, because of the person's drug or alcohol abuse or alcoholism.

Reg. 104.54 Education of institutionalized persons.

A recipient to which this subpart applies and that operates or supervises a program or activity for persons who are institutionalized because of handicap shall ensure that each qualified handicapped person, as defined in Reg. 104.3(k)(2), in its program or activity is provided an appropriate education, as defined in Reg. 104.33(b). Nothing in this section shall be interpreted as altering in any way the obligations of recipients under Subpart D.

Subpart G—Procedures

Reg. 104.61 Procedures.

The procedural provisions applicable to title VI of the Civil Rights Act of 1964 apply to this part. These procedures are found in Regs. 100.6-100.10 and Part 101 of this Title.

Checklist for Complying with Section 504 Administrative Requirements*

This could be attached as the top sheet of a recipient's compliance package (including self-evaluation, transition plan and other related materials).

	Date by which action should be completed	N/A	Yes	No	Documentation
Initial notification	Initial notification that the recipient does not discriminate on the basis of disability must be published by _____.				
Designation of responsible employee	A section 504 coordinator must be designated by _____.				
Adoption of grievance procedure	A grievance procedure that provides for the submission and resolution of complaints must be established by _____.				
Self-evaluation	A self-evaluation of programs and activities must be completed by _____.				
Non-structual changes	All non-structural changes identified in the self-evaluation must be completed by _____				
Transition plan	A transition plan outlining necessary structural changes must be completed by _____.				
Public notification	Recipients must take continuing steps to notify beneficiaries and employees that they do not discriminate on the basis of disability. All such notices must be effective for those with impaired vision and hearing. Recruitment materials or publications containing general information that is made available to program participants, beneficiaries, applicants and employees must contain an appropriate non-discrimination statement.				
Structural changes	Structural changes identified in the transition plan must be completed by _____.				
Retention of files	Recipients must maintain on file for three years: (1) a list of persons consulted; (2) a description of policies and practices examined; and (3) descriptions of modifications made. (The self-evaluation and transition plan can include such information.)				

*The administrative tasks associated with section 504 should have been completed soon after the various federal funding agencies issued their section 504 regulations in the late 1970s and early 1980s. Therefore, most federal fund recipients have completed the tasks included in this checklist. These steps are included in the *Handbook* for purposes of providing background information. However, new recipients (and those that have not complied fully) should note that these requirements are still relevant, even though the initial effective dates are long past.

Appendix C

Uniform Federal Accessibility Standards (UFAS)

TABLE OF CONTENTS

UNIFORM FEDERAL ACCESSIBILITY STANDARDS

INTRODUCTION 1

1. PURPOSE 2

2. GENERAL 2

2.1 Authority 2
2.2 Provisions for Adults 2

3. MISCELLANEOUS INSTRUCTIONS AND DEFINITIONS. 2

3.1 Graphic Conventions 2
3.2 Dimensional Tolerances 2
3.3 Notes 2
3.4 General Terminology 2
3.5 Definitions 3

4. ACCESSIBLE ELEMENTS AND SPACES: SCOPE AND TECHNICAL REQUIREMENTS. 4

4.1 Minimum Requirements 4

4.1.1 Accessible Sites and Exterior Facilities: New Construction 4
4.1.2 Accessible Buildings: New Construction 5
4.1.3 Accessible Housing 7
4.1.4 Occupancy Classifications 7
4.1.5 Accessible Buildings: Additions 11
4.1.6 Accessible Buildings: Alterations 12
4.1.7 Accessible Buildings: Historic Preservation 13

4.2 Space Allowances and Reach Ranges 14
4.3 Accessible Route 15
4.4 Protruding Objects 20
4.5 Ground and Floor Surfaces 22
4.6 Parking and Passenger Loading Zones 23
4.7 Curb Ramps 24
4.8 Ramps 25
4.9 Stairs 27
4.10 Elevators 30
4.11 Platform Lifts 33
4.12 Windows 33
4.13 Doors 33
4.14 Entrances 36
4.15 Drinking Fountains and Water Coolers 36
4.16 Water Closets 37
4.17 Toilet Stalls 38
4.18 Urinals 40
4.19 Lavatories and Mirrors 40
4.20 Bathtubs 40
4.21 Shower Stalls 42
4.22 Toilet Rooms 43
4.23 Bathrooms, Bathing Facilities, and Shower Rooms 44
4.24 Sinks 44
4.25 Storage 44

TABLE OF CONTENTS

UNIFORM FEDERAL ACCESSIBILITY STANDARDS

4.26 Handrails, Grab Bars, Tub and Shower Seats 45
4.27 Controls and Operating Mechanisms 45
4.28 Alarms 45
4.29 Tactile Warnings 46
4.30 Signage 47
4.31 Telephones 47
4.32 Seating, Tables, and Work Surfaces 48
4.33 Assembly Areas 49
4.34 Dwelling Units 49

5. RESTAURANTS AND CAFETERIAS. 57

6. HEALTH CARE. 57

7. MERCANTILE. 57

8. LIBRARIES. 58

9. POSTAL FACILITIES. 58

APPENDIX 60

ARCHITECTURAL BARRIERS ACT OF 1968 AS AMENDED 69

INDEX 70

UNIFORM FEDERAL ACCESSIBILITY STANDARDS

INTRODUCTION

GENERAL SERVICES ADMINISTRATION

DEPARTMENT OF DEFENSE

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

U.S. POSTAL SERVICE

This document presents uniform standards for the design, construction, and alteration of buildings so that physically handicapped persons will have ready access to and use of them in accordance with the Architectural Barriers Act, 42 U.S.C. 4151-4157. The document embodies an agreement to minimize the differences between the standards previously used by four agencies (the General Services Administration, the departments of Housing and Urban Development and Defense, and the United States Postal Service) that are authorized to issue standards under the Architectural Barriers Act, and between those standards and the access standards recommended for facilities that are not federally funded or constructed.

The four standard-setting agencies establish and enforce standards for design, construction, and alteration of particular types of buildings and facilities. The General Services Administration (GSA) prescribes standards for all buildings subject to the Architectural Barriers Act that are not covered by standards issued by the other three standard-setting agencies; the Department of Defense (DoD) prescribes standards for DoD installations; the Department of Housing and Urban Development (HUD) prescribes standards for residential structures covered by the Architectural Barriers Act except those funded or constructed by DoD; and the U.S. Postal Service (USPS) prescribes standards for postal facilities. Each of the four agencies issues standards in accordance with its statutory authority.

To ensure compliance with the standards, Congress established the Architectural and Transportation Barriers Compliance Board (ATBCB) in Section 502 of the Rehabilitation Act of 1973 (the Rehabilitation Act), 29 U.S.C. 792. The ATBCB is composed of members representing eleven Federal agencies (the four standard-setting agencies; the departments of Education, Health and Human Services, Interior, Justice, Labor, and Transportation; and the Veterans Administration) and eleven members appointed by the President from the general public. A 1978 amendment to Section 502 of the Rehabilitation Act added to the ATBCB's functions the responsibility to issue minimum guidelines (Guidelines) and requirements for the standards established by the four standard-setting agencies. The final rule that established the Guidelines now in effect was published in the *Federal Register* on August 4, 1982 (47 FR 33862) and is codified at 36 CFR part 1190.

The four standard-setting agencies determined that the uniform standards adopted by them would, as much as possible, not only comply with the Guidelines adopted by the ATBCB but also be consistent with the standards published by the American National Standards Institute (ANSI) for general use. ANSI is a nongovernmental national organization that publishes a wide variety of recommended standards. ANSI's standards for barrier-free design are developed by a committee made up of 52 organizations representing associations of handicapped people, rehabilitation professionals, design professionals, builders, and manufacturers. The standards, which are called ANSI A117.1, "Specifications for Making Buildings and Facilities Accessible to, and Usable by, Physically Handicapped People," are developed using the consensus process. The original ANSI A117.1, adopted in 1961, formed the technical basis for the first accessibility standards adopted by the federal government and most state governments. The current edition, ANSI A117.1-1980, is based on research funded by HUD. It has generally been accepted by the private sector and has been recommended for use in model state and local building codes by the Council of American Building Officials.

In keeping with the objective of uniformity between federal requirements and those commonly applied by state and local governments, the Uniform Federal Accessibility Standards (UFAS) follows ANSI A117.1-1980 in format. Both the UFAS scope provisions, which establish the minimum number of elements and spaces required to comply with standards, and the UFAS technical requirements meet or exceed the comparable provisions of the Guidelines.

The UFAS was published in the *Federal Register* on August 7, 1984 (49 FR 31528). Each of the standard-setting agencies has taken action in accordance with its own procedures, including internally prescribed rulemaking and the Administrative Procedure Act where applicable, to incorporate the UFAS in its own standards, regulations, or other directives. GSA adopted the UFAS in 41 CFR 101-19.6, effective August 7, 1984. HUD adopted the UFAS in 24 CFR part 40, effective October 4, 1984. USPS adopted the UFAS in Handbook*RE-4, "Standards for Facility Accessibility by the Physically Handicapped," effective November 15, 1984. DoD adopted the UFAS by revising Chapter 18 of DoD 4270.1-M, "Construction Criteria," by memorandum dated May 8,1985.

For further information contact:

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Margaret Milner, Department of Housing and Urban Development, 451 7th Street, S.W., Room 9220, Washington, D.C. 20410, (202) 755-6454.

Melinda Hulsey, Real Estate and Buildings Department, U.S. Postal Service, 475 L'Enfant Plaza West, S.W., Washington, D.C. 20260-6424, (202) 268-3139.

For TDD communication, call Margaret Milner, (202) 426-6030. These are not toll-free numbers.

*Handbook RE-4 was amended effective April 16, 1986, by the addition of Interim Standards, Section 4.1.8, "Accessible Buildings: Leasing of Space in Existing Buildings." While Handbook RE-4 is based on UFAS, Handbook RE-4, not UFAS, sets forth the governing standards for Postal Service facility accessibility. Handbook RE-4 may be further amended.

1. PURPOSE.

This document sets standards for facility accessibility by physically handicapped persons for Federal and federally-funded facilities. These standards are to be applied during the design, construction, and alteration of buildings and facilities to the extent required by the Architectural Barriers Act of 1968, as amended.

The technical provisions of these standards are the same as those of the American National Standard Institute's document A117.1-1980, except as noted in this text and on figures by italics.

2. GENERAL.

2.1 Authority. *These standards were jointly developed by the General Services Administration, the Department of Housing and Urban Development, the Department of Defense, and the United States Postal Service, under the authority of sections 2, 3, 4, and 4a, respectively, of the Architectural Barriers Act of 1968, as amended, Pub. L. No. 90-480, 42 U.S.C. 4151-4157.*

2.2 Provisions For Adults. The specifications in *these standards* are based upon adult dimensions and anthropometrics.

3. MISCELLANEOUS INSTRUCTIONS AND DEFINITIONS.

3.1 Graphic Conventions. Graphic conventions are shown in Table 1. Dimensions that are not marked "minimum" or "maximum" are absolute, unless otherwise indicated in the text or captions.

3.2 Dimensional Tolerances. All dimensions are subject to conventional building industry tolerances for field conditions.

3.3 Notes. The text of *these standards* does not contain notes or footnotes. Additional information, explanations, and advisory materials are located in the Appendix. Paragraphs marked with an asterisk have related, nonmandatory material in the Appendix. In the Appendix, the corresponding paragraph numbers are preceded by an A.

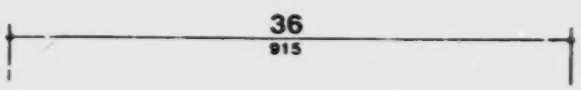
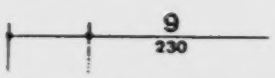
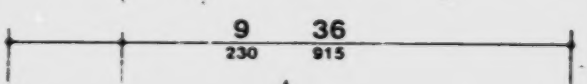
3.4 General Terminology.

comply with. Meet one or more specifications of this standard.

if, if...then. Denotes a specification that applies only when the conditions described are present.

may. Denotes an option or alternative.

Table 1
Graphic Conventions

Convention	Description
	Typical dimension line showing U.S. customary units (in inches) above the line and SI units (in millimeters) below
	Dimensions for short distances indicated on extended line
	Dimension line showing alternate dimensions required
	Direction of approach
max	Maximum
min	Minimum
.....	Boundary of clear floor area
— — —

shall. Denotes a mandatory specification or requirement.

should. Denotes an advisory specification or recommendation.

3.5 Definitions. The following terms shall, for the purpose of *these standards*, have the meaning indicated in this section.

Access Aisle. An accessible pedestrian space between elements, such as parking spaces, seating, and desks, that provides clearances appropriate for use of the elements.

Accessible. Describes a site, building, facility, or portion thereof that complies with *these standards* and that can be approached, entered, and used by physically disabled people.

Accessible Element. An *element* specified by *these standards* (for example, telephone, controls, and the like).

Accessible Route. A continuous unobstructed path connecting all accessible elements and spaces in a building or facility. Interior accessible routes may include corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes may include parking access aisles, curb ramps, walks, ramps, and lifts.

Accessible Space. Space that complies with these standards.

Adaptability. The ability of certain building *spaces and* elements, such as kitchen counters, sinks, and grab bars, to be *added or* altered so as to accommodate the needs of either disabled or nondisabled *persons*, or to accommodate the needs of persons with different types or degrees of disability.

Addition. An expansion, extension, or increase in the gross floor area of a building or facility.

Administrative Authority. A governmental agency that adopts or enforces regulations and standards for the design, construction, or alteration of buildings and facilities.

Alteration. As applied to a building or structure, means a change or rearrangement in the structural parts or elements, or in the means of egress or in moving from one location or position to another. It does not include normal maintenance, repair, reroofing, interior decoration, or changes to mechanical and electrical systems.

Assembly Area. A room or space accommodating fifty or more individuals for religious, recreational, educational, political, social, or amusement purposes, or for the consumption of food and drink, including all connected rooms or spaces with a common means of egress and ingress. Such areas as conference rooms would have to be accessible in accordance with other parts of this standard but would not have to meet all of the criteria associated with assembly areas.

Automatic Door. A door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, or manual switch mounted on or near the door itself (see power-assisted door).

Circulation Path. An exterior or interior way of passage from one place to another for pedestrians, including, but not limited to, walks, hallways, courtyards, stairways, and stair landings.

Clear. Unobstructed.

Common Use. Refers to those interior and exterior rooms, spaces, or elements that are made available for the use of a restricted group of people (for example, residents of an apartment building, the occupants of an office building, or the guests of such residents or occupants).

Cross Slope. The slope that is perpendicular to the direction of travel (see running slope).

Curb Ramp. A short ramp cutting through a curb or built up to it.

Dwelling Unit. A single unit of residence which provides a kitchen or food preparation area, in addition to rooms and spaces for living, bathing, sleeping, and the like. A single family home is a dwelling unit, and dwelling units are to be found in such housing types as townhouses and apartment buildings.

Egress, Means of. *An accessible route* of exit that meets all applicable code specifications of the regulatory building agency having jurisdiction over the building or facility.

Element. An architectural or mechanical component of a building, facility, space, or site, e.g., telephone, curb ramp, door, drinking fountain, seating, water closet.

Entrance. Any access point to a building or portion of building or facility used for the purpose of entering. An entrance includes the approach walk, the vertical access leading to the entrance platform, the entrance platform itself, vestibules if provided, the entry door(s) or gate(s), and the hardware of the entry door(s) or gate(s). The principal entrance of a building or facility is the main door through which most people enter.

Essential Features. Those elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include but are not limited to entrances, toilet rooms, and accessible routes. Essential features do not include those spaces that house the major activities for which the building or facility is intended, such as classrooms and offices.

Extraordinary Repair. The replacement or renewal of any element of an existing building or facility for purposes other than normal maintenance.

Facility. All or any portion of a building, structure, or area, including the site on which such building, structure or area is located, wherein specific services are provided or activities performed.

Full and Fair Cash Value. Full and fair cash value is calculated for the estimated date on which work will commence on a project and means:

(1) The assessed valuation of a building or facility as recorded in the assessor's office of the municipality and as equalized at one hundred percent (100%) valuation, or
(2) The replacement cost, or
(3) The fair market value.

Functional Spaces. The rooms and spaces in a building or facility that house the major activities for which the building or facility is intended.

Housing. A building, facility, or portion thereof, excluding inpatient health care facilities, that contains one or more dwelling units or sleeping accommodations. Housing may include, but is not limited to, one and two-family dwellings, apartments, group homes, hotels, motels, dormitories, and mobile homes.

Marked Crossing. A crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

Multifamily Dwelling. Any building containing more than two dwelling units.

Operable Part. A part of a piece of equipment or appliance used to insert or withdraw objects, or to activate, deactivate, or adjust the equipment or appliance (for example, coin slot, pushbutton, handle).

Physically Handicapped. An individual who has a physical impairment, including impaired sensory, manual, or speaking abilities, which results in a functional limitation in access to and use of a building or facility.

Power-assisted Door. A door *used for human passage* with a mechanism that helps to open the door, or relieve the opening resistance of a door, upon the activation of a switch or a continued force applied to the door itself. If the switch or door is released, such doors immediately begin to close or close completely within 3 to 30 seconds (see automatic door).

Public Use. Describes interior or exterior rooms or spaces that are made available to the general public. Public use may be provided at a building or facility that is privately or publicly owned.

Ramp. A walking surface in an accessible space that has a running slope greater than 1:20.

Running Slope. The slope that is parallel to the direction of travel (see cross slope).

Service Entrance. An entrance intended primarily for delivery of services.

Signage. Verbal, symbolic, *tactile*, and pictorial information.

Site. A parcel of land bounded by a property line or a designated portion of a public right-of-way.

Site Improvement. Landscaping, paving for pedestrian and vehicular ways, outdoor lighting, recreational facilities, and the like, added to a site.

Sleeping Accommodations. Rooms in which people sleep, for example, dormitory and hotel or motel guest rooms.

Space. A definable area, e.g., toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, or lobby.

Structural Impracticability. Changes having little likelihood of being accomplished without removing or altering a load-bearing structural member and/or incurring an increased cost of 50 percent or more of the value of the element of the building or facility involved.

Tactile. Describes an object that can be perceived using the sense of touch.

Tactile Warning. A standardized surface texture applied to or built into walking surfaces or other elements to warn visually impaired people of hazards in the path of travel.

Temporary. Applies to facilities that are not of permanent construction but are extensively used or essential for public use for a given (short) period of time, for example, temporary classrooms or classroom buildings at schools and colleges, or facilities around a major construction site to make passage accessible, usable, and safe for everybody. Structures directly associated with the actual processes of major construction, such as porto potties, scaffolding, bridging, trailers, and the like, are not included. *Temporary as applied to elements means installed for less than 6 months and not required for safety reasons.*

Vehicular Way. A route intended for vehicular traffic, such as a street, driveway, or parking lot.

Walk. An exterior pathway with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts.

4. ACCESSIBLE ELEMENTS AND SPACES: SCOPE AND TECHNICAL REQUIREMENTS.

4.1 Minimum Requirements.

4.1.1 Accessible Sites and Exterior Facilities: *New Construction.* An accessible site shall meet the following minimum requirements:

(1) At least one accessible route complying with 4.3 shall be provided *within the boundary of the site* from public transportation stops, accessible parking

spaces, passenger loading zones if provided, and public streets or sidewalks to an accessible building entrance.

(2) At least one accessible route complying with 4.3 shall connect accessible buildings, facilities, elements, and spaces that are on the same site.

(3) All objects that protrude from surfaces or posts into circulation paths shall comply with 4.4.

(4) Ground surfaces along accessible routes and in accessible spaces shall comply with 4.5.

(5) (a) *If parking spaces are provided for employees or visitors, or both, then accessible spaces, complying with 4.6, shall be provided in each such parking area in conformance with the following table:*

Total Parking in Lot	*Required Minimum Number of Accessible Spaces*
1 to 25	*1*
26 to 50	*2*
51 to 75	*3*
76 to 100	*4*
101 to 150	*5*
151 to 200	*6*
201 to 300	*7*
301 to 400	*8*
401 to 500	*9*
501 to 1000	*
1001 and over	**

* *2 percent of total.*
** *20 plus 1 for each 100 over 1000.*

EXCEPTION: The total number of accessible parking spaces may be distributed among parking lots, if greater accessibility is achieved.

EXCEPTION: This does not apply to parking provided for official government vehicles owned or leased by the government and used exclusively for government purposes.

(b) If passenger loading zones are provided, then at least one passenger loading zone shall comply with 4.6.5.

(c) Parking spaces for side lift vans are accessible parking spaces and may be used to meet the requirements of this paragraph.

(d) Parking spaces at accessible housing complying with 4.6 shall be provided in accordance with the following:

(i) Where parking is provided for all residents, one accessible parking space shall be provided for each accessible dwelling unit; and

(ii) Where parking is provided for only a portion of the residents, an accessible parking space shall be provided on request of the occupant of an accessible dwelling unit;

(iii) Where parking is provided for visitors, 2 percent of the spaces, or at least one, shall be accessible.

(e) Parking spaces at health care facilities complying with 4.6 shall be provided in accordance with the following:

(i) General health care facilities, employee and visitor parking: Comply with Table 4.1.1(5)(a);

(ii) Outpatient facilities: 10 percent of the total number of parking spaces provided;

(iii) Spinal cord injury facilities, employee and visitor parking: 20 percent of total parking spaces provided.

(6) *If toilet facilities are provided on a site, then each such public or common use toilet facility shall comply with 4.22. If bathing facilities are provided on a site, then each such public or common use bathing facility shall comply with 4.23.*

EXCEPTION: These provisions are not mandatory for single user portable toilet or bathing units clustered at a single location; however, at least one toilet unit complying with 4.22 or one bathing unit complying with 4.23 should be installed at each location whenever standard units are provided.

• (7) All signs shall comply with 4.30. *Elements and spaces of accessible facilities which shall be identified by the International Symbol of Accessibility are:*

(a) Parking spaces designated as reserved for physically handicapped people;
(b) passenger loading zones;
(c) accessible entrances;
(d) accessible toilet and bathing facilities.

4.1.2 Accessible Buildings: *New Construction.* Accessible buildings and facilities shall meet the following minimum requirements:

(1) At least one accessible route complying with 4.3 shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility.

(2) All objects that overhang circulation paths shall comply with 4.4.

(3) Ground and floor surfaces along accessible routes and in accessible rooms and spaces shall comply with 4.5.

(4) Stairs connecting levels that are not connected by an elevator shall comply with 4.9.

(5) *One passenger elevator complying with 4.10 shall serve each level in all multi-story buildings and facilities. If more than one elevator is provided, each elevator shall comply with 4.10.*

EXCEPTION: Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks are excepted from this requirement.

EXCEPTION: Accessible ramps complying with 4.8 or, if no other alternative is feasible, accessible platform lifts complying with 4.11 may be used in lieu of an elevator.

(5) Windows. *(Reserved).*

(7) Doors:

(a) *At each accessible entrance to a building or facility, at least one door shall comply with 4.13.*

(b) *Within a building or facility, at least one door at each accessible space shall comply with 4.13.*

(c) *Each door that is an element of an accessible route shall comply with 4.13.*

(d) *Each door required by 4.3.10, Egress, shall comply with 4.13.*

EXCEPTION: In multiple-story buildings and facilities where at-grade egress from each floor is impossible, either of the following is permitted: the provision within each story of approved fire and smoke partitions that create horizontal exits, or, the provision within each floor of areas of refuge approved by agencies having authority for safety.

(8) *At least one principal entrance at each grade floor level to a building or facility shall comply with 4.14, Entrances. When a building or facility has entrances which normally serve any of the following functions: transportation facilities, passenger loading zones, accessible parking facilities, taxi stands, public streets and sidewalks, or accessible interior vertical access, then at least one of the entrances serving each such function shall comply with 4.14, Entrances. Because entrances also serve as emergency exits, whose proximity to all parts of buildings and facilities is essential, it is preferable that all or most exits be accessible.*

(9) *If drinking fountains or water coolers are provided, approximately 50 percent of those provided on each floor shall comply with 4.15 and shall be on an accessible route. If only one drinking fountain or water cooler is provided on any floor, it shall comply with 4.15.*

(10) If toilet facilities are provided, *then each public and common use* toilet room shall comply with 4.22. *Other toilet rooms shall be adaptable.* If bathing facilities are provided, *then each public and common use* bathroom shall comply with 4.23. *Accessible toilet rooms and bathing facilities shall be on an accessible route.*

(11) If storage facilities such as cabinets, shelves, closets, and drawers are provided in accessible spaces, *at least one of each type provided shall contain storage space complying with 4.25. Additional storage may be provided outside of the dimensions shown in Fig. 38.*

(12) Controls and operating mechanisms in accessible spaces, along accessible routes, or as parts of accessible elements (for example, light switches and dispenser controls) shall comply with 4.27.

(13) *If emergency warning systems are provided, then they shall include both audible alarms complying with 4.28.2 and visual alarms complying with 4.28.3. In facilities with sleeping accommodations, the sleeping accommodations shall have an alarm system complying with 4.28.4. Emergency warning systems in health care facilities may be modified to suit standard health care alarm design practice.*

(14) Tactile warnings shall be provided at hazardous conditions as specified in *4.29.3.*

* (15) If signs are provided, they shall comply with 4.30. *In addition, permanent signage that identifies rooms and spaces shall also comply with 4.30.4 and 4.30.6.*

EXCEPTION: The provisions of 4.30.4 are not mandatory for temporary information on room and space signage, such as current occupant's name, provided the permanent room or space identification complies with 4.30.4.

(16) Public telephones:

(a) If public telephones are provided, *then accessible public telephones shall comply with 4.31, Telephones, and the following table:*

Number of public telephones provided on each floor:	*Number of telephones required to be accessible:**
1 or more single unit installations	*1 per floor*
*1 bank***	*1 per floor*
*2 or more banks***	*1 per bank. Accessible unit may be installed as a single unit in proximity (either visible or with signage) to the bank. At least one public telephone per floor shall meet the requirements for a forward reach telephone.****

**Additional public telephones may be installed at any height. Unless otherwise specified, accessible telephones may be either forward or side reach telephones.*

***A bank consists of two or more adjacent public telephones, often installed as a unit.*

***EXCEPTION: For exterior installations only, if dial tone first service is not available, then a side reach telephone may be installed instead of the required forward reach telephone (i.e., one telephone in proximity to each bank shall comply with 4.31).

(b) At least one of the public telephones complying with 4.31, Telephones, shall be equipped with a volume control. The installation of additional volume controls is encouraged, and these may be installed on any public telephone provided.

(17) If fixed or built-in seating, tables, or work surfaces are provided in accessible spaces, at least 5 percent, but always at least one, of seating spaces, tables, or work surfaces shall comply with 4.32.

(18) Assembly areas:

(a) If places of assembly are provided, they shall comply with the following table:

Capacity of Seating & Assembly Areas	Number of Required Wheelchair Locations
50 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	*
over 1,000	**

* 2 percent of total.
** 20 plus 1 for each 100 over 1,000.

(b) Assembly areas with audio-amplification systems shall have a listening system complying with 4.33 to assist a reasonable number of people, but no fewer than two, with severe hearing loss. For assembly areas without amplification systems and for spaces used primarily as meeting and conference rooms, a permanently installed or portable listening system shall be provided. If portable systems are used for conference or meeting rooms, the system may serve more than one room.

4.1.3 Accessible Housing. Accessible housing shall comply with the requirements of 4.1 and 4.34 except as noted below:

(1) Elevators: Where provided, elevators shall comply with 4.10. Elevators or other accessible means of vertical movement are not required in residential facilities when:

(a) No accessible dwelling units are located above or below the accessible grade level; and

(b) At least one of each type of common area and amenity provided for use of residents and visitors is available at the accessible grade level.

(2) Entrances: Entrances complying with 4.14 shall be provided as necessary to achieve access to and egress from buildings and facilities.

EXCEPTION: In projects consisting of one-to-four family dwellings where accessible entrances would be extraordinarily costly due to site conditions or local code restrictions, accessible entrances are required only to those buildings containing accessible dwelling units.

(3) Common Areas: At least one of each type of common area and amenity in each project shall be accessible and shall be located on an accessible route to any accessible dwelling unit.

4.1.4 Occupancy Classifications. Buildings and facilities shall comply with these standards to the extent noted in this section for various occupancy classifications, unless otherwise modified by a special application section. Occupancy classifications, and the facilities covered under each category include, but are not necessarily limited to, the listing which follows:

(1) General Exceptions. Accessibility is not required to elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks, lookout galleries, electrical and telephone closets, and general utility rooms.

(2) Military Exclusions. The following facilities need not be designed to be accessible, but accessibility is recommended since the intended use of the facility may change with time.

(a) Unaccompanied personnel housing, closed messes, vehicle and aircraft maintenance facilities, where all work is performed by able-bodied military personnel, and, in general, all facilities which are intended for use or occupancy by able-bodied military personnel only.

(b) Those portions of Reserve and National Guard facilities which are designed and constructed primarily for use by able-bodied military personnel. This exclusion does not apply to those portions of a building or facility which may be open to the public or which may be used by the public during the conduct of normal business or which may be used by physically handicapped persons employed or seeking employment at such building or facility. These portions of the building or facility shall be accessible.

(c) Where the number of accessible spaces required is determined by the design capacity of a facility (such as parking or assembly areas), the number of able-bodied military persons used in determining the design capacity need not be counted when computing the number of accessible spaces required.

(3) Military Housing. In the case of military housing, which is primarily available for able-bodied military personnel and their dependents, at least 5

***EXCEPTION: For exterior installations only, if dial tone first service is not available, then a side reach telephone may be installed instead of the required forward reach telephone (i.e., one telephone in proximity to each bank shall comply with 4.31).

(b) At least one of the public telephones complying with 4.31, Telephones, shall be equipped with a volume control. The installation of additional volume controls is encouraged, and these may be installed on any public telephone provided.

(17) If fixed or built-in seating, tables, or work surfaces are provided in accessible spaces, at least 5 percent, but always at least one, of seating spaces, tables, or work surfaces shall comply with 4.32.

(18) Assembly areas:

(a) If places of assembly are provided, they shall comply with the following table:

Capacity of Seating & Assembly Areas	Number of Required Wheelchair Locations
50 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1,000	*
over 1,000	**

* 2 percent of total.
** 20 plus 1 for each 100 over 1,000.

(b) Assembly areas with audio-amplification systems shall have a listening system complying with 4.33 to assist a reasonable number of people, but no fewer than two, with severe hearing loss. For assembly areas without amplification systems and for spaces used primarily as meeting and conference rooms, a permanently installed or portable listening system shall be provided. If portable systems are used for conference or meeting rooms, the system may serve more than one room.

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(a) No accessible dwelling units are located above or below the accessible grade level; and

(b) At least one of each type of common area and amenity provided for use of residents and visitors is available at the accessible grade level.

(2) Entrances: Entrances complying with 4.14 shall be provided as necessary to achieve access to and egress from buildings and facilities.

EXCEPTION: In projects consisting of one-to-four family dwellings where accessible entrances would be extraordinarily costly due to site conditions or local code restrictions, accessible entrances are required only to those buildings containing accessible dwelling units.

(3) Common Areas: At least one of each type of common area and amenity in each project shall be accessible and shall be located on an accessible route to any accessible dwelling unit.

4.1.4 Occupancy Classifications. Buildings and facilities shall comply with these standards to the extent noted in this section for various occupancy classifications, unless otherwise modified by a special application section. Occupancy classifications, and the facilities covered under each category include, but are not necessarily limited to, the listing which follows:

(1) General Exceptions. Accessibility is not required to elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks, lookout galleries, electrical and telephone closets, and general utility rooms.

(2) Military Exclusions. The following facilities need not be designed to be accessible, but accessibility is recommended since the intended use of the facility may change with time.

(a) Unaccompanied personnel housing, closed messes, vehicle and aircraft maintenance facilities, where all work is performed by able-bodied military personnel, and, in general, all facilities which are intended for use or occupancy by able-bodied military personnel only.

(b) Those portions of Reserve and National Guard facilities which are designed and constructed primarily for use by able-bodied military personnel. This exclusion does not apply to those portions of a building or facility which may be open to the public or which may be used by the public during the conduct of normal business or which may be used by physically handicapped persons employed or seeking employment at such building or facility. These portions of the building or facility shall be accessible.

(c) Where the number of accessible spaces required is determined by the design capacity of a facility (such as parking or assembly areas), the number of able-bodied military persons used in determining the design capacity need not be counted when computing the number of accessible spaces required.

(3) Military Housing. In the case of military housing, which is primarily available for able-bodied military personnel and their dependents, at least 5

Facilities	Application
Academies Kindergarten Nursery schools Schools	All areas shall comply.

(7) Factory Industrial. Factory industrial occupancy includes, among others, the use of a building or structure, or portion thereof, for assembling, disassembling, fabricating, finishing, manufacturing, packaging, processing or other operations that are not classified as a Hazardous Occupancy.

Facilities	Application
Aircraft Appliances Athletic equipment Automobile and other motor vehicle Bakeries Beverages Bicycles Boats, building Brick and masonry Broom or brush Business machines Canvas or similar Cameras and photo equipment Carpets & rugs, including cleaning Ceramic products Clothing Construction & agricultural machinery Disinfectants Dry cleaning & dyeing Electronics Engines, including rebuilding Film, photographic Food processing Foundries Furniture Glass products Gypsum Hemp products Ice Jute products Laundries Leather products Machinery Metal Motion pictures & television film Musical instruments Optical goods Paper products Plastic products	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons.
Printing or publishing Recreational vehicles Refuse incineration Shoes Soaps & detergents Steel products: fabrication, assembly Textiles Tobacco Trailers Upholstering Wood, distribution Millwork Woodworking, cabinet Postal mail: processing facilities*	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons.

*See Part 9 for special applications.

(8) Hazardous. Hazardous occupancy includes, among others, the use of a building or structure, or a portion thereof, that involves the manufacturing, processing, generation or storage of corrosive, highly toxic, highly combustible, flammable or explosive materials that constitute a high fire or explosive hazard, including loose combustible fibers, dust and unstable materials.

Facilities	Application
Combustible dust Combustible fibers Combustible liquid Corrosive liquids Explosive material Flammable gas Flammable liquid Liquified petroleum gas Nitromethane Oxidizing materials Organic peroxide	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons.

(9) Institutional. Institutional occupancy includes, among others, the use of a building or structure, or any portion thereof, in which people have physical or medical treatment or care, or in which the liberty of the occupants is restricted. Institutional occupancies shall include the following subgroups:

(a) Institutional occupancies for the care of children, including:

Facilities	Application
Child care facilities	All public use, common use, or areas which may result in employment of physically handicapped persons.

(b) Institutional occupancies used for medical or other treatment or care of persons, some of whom are suffering from physical or mental illness, disease or infirmity, including:

Facilities	Application
Long Term Care Facilities: (including Skilled Nursing Facilities, Intermediate Care Facilities, Bed & Care, and Nursing Homes).	At least 50 percent of patient toilets and bedrooms; all public use, common use or areas which may result in employment of physically handicapped persons.
Outpatient Facilities:	All patient toilets and bedrooms, all public use, common use, or areas which may result in employment of physically handicapped persons.
Hospital*:	
General Purpose Hospital:	At least 10 percent of patient toilets and bedrooms, all public use, common use, or areas which may result in employment of physically handicapped persons.
Special Purpose Hospital: (Hospitals that treat conditions that affect mobility).	All patient toilets and bedrooms, all public use, common use, or areas which may result in employment of physically handicapped persons.

* See Part 6 for special applications.

(c) Institutional occupancies where the occupants are under some degree of restraint or restriction for security reasons including:

Facilities	Application
Jails Prisons Reformatories Other detention or correctional facilities	5 percent of residential units available, or at least one unit, whichever is greater; all common use, visitor use, or areas which may result in employment of physically handicapped persons.

(10) Mercantile*. Mercantile occupancy includes, among others, all buildings and structures or parts thereof, for the display and sale of merchandise, and involving stocks of goods, wares or merchandise incidental to such purposes and accessible to the public.

Facilities	Application
Department stores Drug stores Markets Retail stores Shopping centers Sales rooms	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons.

* See Part 7 for special applications.

(11) Residential. Residential occupancy includes, among others, the use of a building or structure, or portion thereof, for sleeping accommodations when not classed as an institutional occupancy. Residential occupancies shall comply with the requirements of 4.1 and 4.34 except as follows:

(a) Residential occupancies where the occupants are primarily transient in nature (less than 30 days) including:

Facilities	Application
Hotels Motels Boarding houses	5 percent of the total units, or at least one, whichever is greater, and all public use, common use, and areas which may result in employment of physically handicapped persons.

(b) Residential occupancies in multiple dwellings where the occupants are primarily permanent in nature, including:

Facilities	Application
Multifamily housing (Apartment houses):	
Federally assisted	5 percent of the total, or at least one unit, whichever is greater, in projects of 15 or more dwelling units, or as determined by the appropriate Federal agency following a local needs assessment conducted by local government bodies or states under applicable regulations.
Federally owned	5 percent of the total, or at least one unit, whichever is greater.
Dormitories	5 percent of the total, or at least one unit, whichever is greater.

(c) Residential occupancies in one (1) and two (2) family dwellings where the occupancies are primarily permanent in nature and not classified as preceding residential categories or as institutional.

Facilities	Application
One and two family dwelling:	
Federally assisted, rental	5 percent of the total, or at least one unit, whichever is greater, in projects of 15 or more dwelling units, or as determined by the appropriate Federal agency following a local needs assessment conducted by local government bodies or states under applicable regulations.
Federally assisted, homeownership	To be determined by home buyer.
Federally owned	5 percent of the total, or at least one unit, whichever is greater.

(12) Storage. Storage occupancy includes, among others, the use of a building or structure, or portion thereof, for storage that is not classified as a Hazardous Occupancy.

Facilities	Application
Metal desks Electrical coils Electrical motors Dry cell batteries Metal parts Empty cans Stoves Washers & Dryers Metal cabinets Glass bottles with noncombustible liquid Mirrors Foods in noncombustible containers Frozen foods Meats Fresh fruits and vegetables Dairy products Beer or wine up to 12 percent alcohol Distribution transformers	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons shall comply.
Cement in bags Electrical insulators Gypsum board Inert pigments Dry insecticides	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons shall comply.

(13) Utility and Miscellaneous. Utility and miscellaneous occupancies include, among others, accessory buildings and structures, such as:

Facilities	Application
Fences over 6 ft. high Tanks Cooling towers Retaining walls Buildings of less than 1,000 sq. ft. such as: Private garages Carports Sheds Agricultural buildings	All areas for which the intended use will require public access or which may result in employment of physically handicapped persons shall comply.

4.1.5 Accessible Buildings: Additions.

Each addition to an existing building shall comply with 4.1.1 to 4.1.4 of 4.1, Minimum Requirements, except as follows:

(1) Entrances. If a new addition to a building or facility does not have an entrance, then at least one entrance in the existing building or facility shall comply with 4.1.4, Entrances.

(2) Accessible route. If the only accessible entrance to the addition is located in the existing building or facility, then at least one accessible route shall comply with 4.3, Accessible Route, and shall provide access through the existing building or facility to all rooms, elements, and spaces in the new addition.

(3) Toilet and bathing facilities. If there are no toilet rooms and bathing facilities in the addition and these facilities are provided in the existing building, then at least one toilet and bathing facility in the existing building shall comply with 4.22, Toilet Rooms, or 4.23, Bathrooms, Bathing Facilities, and Shower Rooms.

(4) Elements, spaces, and common areas. If elements, spaces, or common areas are located in the existing building and they are not provided in the addition, then consideration should be given to making those elements, spaces, and common areas accessible in the existing building.

(c) Residential occupancies in one (1) and two (2) family dwellings where the occupancies are primarily permanent in nature and not classified as preceding residential categories or as institutional.

Facilities	Application
One and two family dwelling:	
Federally assisted, rental	*5 percent of the total, or at least one unit, whichever is greater, in projects of 15 or more dwelling units, or as determined by the appropriate Federal agency following a local needs assessment conducted by local government bodies or states under applicable regulations.*
Federally assisted, homeownership	*To be determined by home buyer.*
Federally owned	*5 percent of the total, or at least one unit, whichever is greater.*

***(12) Storage.** Storage occupancy includes, among others, the use of a building or structure, or portion thereof, for storage that is not classified as a Hazardous Occupancy.*

Facilities	Application
Metal desks *Electrical coils* *Electrical motors* *Dry cell batteries* *Metal parts* *Empty cans* *Stoves* *Washers & Dryers* *Metal cabinets* *Glass bottles with noncombustible liquid* *Mirrors* *Foods in noncombustible containers* *Frozen foods* *Meats* *Fresh fruits and vegetables* *Dairy products* *Beer or wine up to 12 percent alcohol* *Distribution transformers*	*All areas for which the intended use will require public access or which may result in employment of physically handicapped persons shall comply.*
Cement in bags *Electrical insulators* *Gypsum board* *Inert pigments* *Dry insecticides*	*All areas for which the intended use will require public access or which may result in employment of physically handicapped persons shall comply.*

***(13) Utility and Miscellaneous.** Utility and miscellaneous occupancies include, among others, accessory buildings and structures, such as:*

Facilities	Application
Fences over 6 ft. high *Tanks* *Cooling towers* *Retaining walls* *Buildings of less than 1,000 sq. ft. such as:* *Private garages* *Carports* *Sheds* *Agricultural buildings*	*All areas for which the intended use will require public access or which may result in employment of physically handicapped persons shall comply.*

4.1.5 *Accessible Buildings: Additions.*
Each addition to an existing building shall comply with 4.1.1 to 4.1.4 of 4.1, Minimum Requirements, except as follows:

***(1) Entrances.** If a new addition to a building or facility does not have an entrance, then at least one entrance in the existing building or facility shall comply with 4.1.4, Entrances.*

***(2) Accessible route.** If the only accessible entrance to the addition is located in the existing building or facility, then at least one accessible route shall comply with 4.3, Accessible Route, and shall provide access through the existing building or facility to all rooms, elements, and spaces in the new addition.*

***(3) Toilet and bathing facilities.** If there are no toilet rooms and bathing facilities in the addition and these facilities are provided in the existing building, then at least one toilet and bathing facility in the existing building shall comply with 4.22, Toilet Rooms, or 4.23, Bathrooms, Bathing Facilities, and Shower Rooms.*

***(4) Elements, spaces, and common areas.** If elements, spaces, or common areas are located in the existing building and they are not provided in the addition, then consideration should be given to making those elements, spaces, and common areas accessible in the existing building.*

(a) *Ramps. Curb ramps and ramps to be constructed on existing sites or in existing buildings or facilities may have slopes and rises as shown in Table 2 if space limitations prohibit the use of a 1:12 slope or less.*

Table 2
Allowable Ramp Dimensions for Construction in Existing Sites, Buildings, and Facilities

	Maximum Rise		Maximum Run	
Slope*	in	mm	ft	m
Steeper than 1:10 but no steeper than 1:8	3	75	2	0.6
Steeper than 1:12 but no steeper than 1:10	6	150	5	1.5

*A slope steeper than 1:8 not allowed.

(b) *Stairs. Full extension of stair handrails shall not be required in alterations where such extensions would be hazardous or impossible due to plan configuration.*

(c) *Elevators.*

(i) *If a safety door edge is provided in existing automatic elevators, then the automatic door reopening devices may be omitted (see 4.10.6).*

(ii) *Where existing shaft or structural elements prohibit strict compliance with 4.10.9, then the minimum floor area dimensions may be reduced by the minimum amount necessary, but in no case shall they be less than 48 in by 48 in (1220 mm by 1220 mm).*

(d) *Doors.*

(i) *Where existing elements prohibit strict compliance with the clearance requirements of 4.13.5, a projection of 5/8 in (16 mm) maximum will be permitted for the latch side door stop.*

(ii) *If existing thresholds measure 3/4 in (19 mm) high or less, and are beveled or modified to provide a beveled edge on each side, then they may be retained.*

(e) *Toilet rooms. Where alterations to existing facilities make strict compliance with 4.22 and 4.23 structurally impracticable, the addition of one "unisex" toilet per floor containing one water closet complying with 4.16 and one lavatory complying with 4.19, located adjacent to existing toilet facilities, will be acceptable in lieu of making existing toilet facilities for each sex accessible.*

EXCEPTION: In instances of alteration work where provision of a standard stall (Fig. 30(a)) is structurally impracticable or where plumbing code requirements prevent combining existing stalls to provide space, an alternate stall (Fig. 30(b)) may be provided in lieu of the standard stall.

(f) Assembly areas.

(i) *In alterations where it is structurally impracticable to disperse seating throughout the assembly area, seating may be located in collected areas as structurally feasible. Seating shall adjoin an accessible route that also serves as a means of emergency egress.*

(ii) *In alterations where it is structurally impracticable to alter all performing areas to be on an accessible route, then at least one of each type shall be made accessible.*

(5) Housing. *(Reserved).*

4.1.7 *Accessible Buildings: Historic Preservation.*

(1) *Applicability.*

(a) *As a general rule, the accessibility provisions of part 4 shall be applied to "qualified" historic buildings and facilities. "Qualified" buildings or facilities are those buildings and facilities that are eligible for listing in the National Register of Historic Places, or such properties designated as historic under a statute of the appropriate state or local government body. Comments of the Advisory Council on Historic Preservation shall be obtained when required by Section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470 and 36 CFR Part 800, before any alteration to a qualified historic building.*

(b) *The Advisory Council shall determine, on a case-by-case basis, whether provisions required by part 4 for accessible routes (exterior and interior), ramps, entrances, toilets, parking, and displays and signage, would threaten or destroy the historic significance of the building or facility.*

(c) *If the Advisory Council determines that any of the accessibility requirements for features listed in 4.1.7(1) would threaten or destroy the historic significance of a building or facility, then the special application provisions of 4.1.7(2) for that feature may be utilized. The special application provisions listed under 4.1.7(2) may only be utilized following a written determination by the Advisory Council that application of a requirement contained in part 4 would threaten or destroy the historic integrity of a qualified building or facility.*

(2) *Historic Preservation: Minimum Requirements.*

(a) *At least one accessible route complying with 4.3 from a site access point to an accessible entrance shall be provided.*

EXCEPTION: A ramp with a slope no greater than 1:6 for a run not to exceed 2 ft (610 mm) may be used as part of an accessible route at an entrance.

(b) *At least one accessible entrance which is used by the public complying with 4.14 shall be provided.*

EXCEPTION: If it is determined that no entrance used by the public can comply with 4.14, then access at any entrance not used by the general public but open (unlocked) with directional signs at the primary entrance may be used.

(c) *If toilets are provided, then at least one toilet facility complying with 4.22 and 4.1.6 shall be provided along an accessible route that complies with 4.3. Such toilet facility may be "unisex" in design.*

(d) *Accessible routes from an accessible entrance to all publicly used spaces on at least the level of the accessible entrance shall be provided. Access should be provided to all levels of a building or facility in compliance with 4.1 whenever practical.*

(e) *Displays and written information, documents, etc., should be located where they can be seen by a seated person. Exhibits and signage displayed horizontally, e.g., books, should be no higher than 44 in (1120 mm) above the floor surface.*

4.2 Space Allowance and Reach Ranges

4.2.1* Wheelchair Passage Width. The minimum clear width for single wheelchair passage shall be 32 in (815 mm) at a point and 36 in (915 mm) continuously (see Fig. 1 *and 24(e)).*

4.2.2 Width for Wheelchair Passing. The minimum width for two wheelchairs to pass is 60 in (1525 mm) (see Fig. 2).

4.2.3* Wheelchair Turning Space. The space required for a wheelchair to make a 180-degree turn is a clear space of 60 in (1525 mm) diameter (see Fig. 3(a)) or a T-shaped space (see Fig. 3(b)).

4.2.4* Clear Floor or Ground Space for Wheelchairs.

4.2.4.1 Size and Approach. The minimum clear floor or ground space required to accommodate a single, stationary wheelchair occupant is 30 in by 48 in (760 mm by 1220 mm) (see Fig. 4(a)). The minimum clear floor or ground space for wheelchairs may be positioned for forward or parallel approach to an object

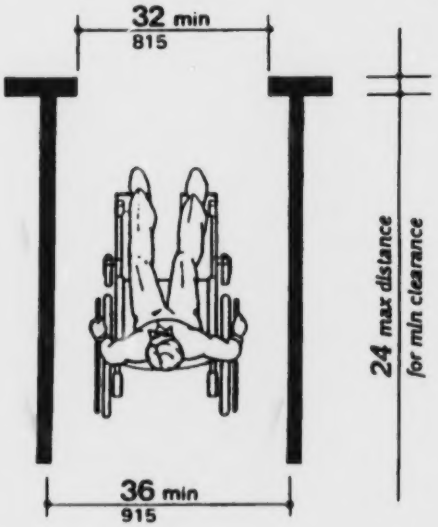


Fig. 1
Minimum Clear Width for Single Wheelchair

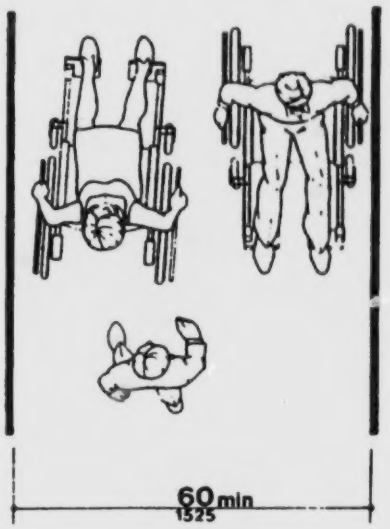
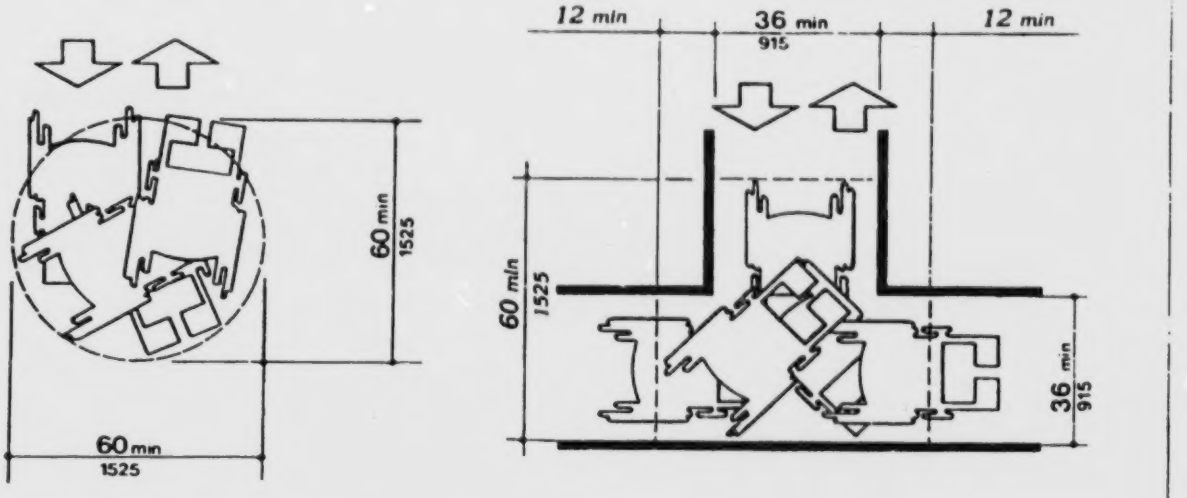


Fig. 2
Minimum Clear Width for Two Wheelchairs



(a)
60-in (1525-mm)-Diameter Space

(b)
T-Shaped Space for 180° Turns

Fig. 3
Wheelchair Turning Space

(see Fig. 4(b) and (c)). Clear floor or ground space for wheelchairs may be part of the knee space required under some objects.

4.2.4.2 Relationship of Maneuvering Clearance to Wheelchair Spaces. One full unobstructed side of the clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route or adjoin another wheelchair clear floor space. If a clear floor space is located in an alcove or otherwise confined on all or part of three sides, additional maneuvering clearances shall be provided as shown in Fig. 4(d) and (e).

4.2.4.3 Surfaces for Wheelchair Spaces. Clear floor or ground spaces for wheelchairs shall comply with 4.5.

4.2.5 Forward Reach. If the clear floor space only allows forward approach to an object, the maximum high forward reach allowed shall be 48 in (1220 mm) (see Fig. 5(a)). *The minimum low forward reach is 15 in (380 mm).* If the high forward reach is over an obstruction, reach and clearances shall be as shown in Fig. 5(b).

4.2.6* Side Reach. If the clear floor space allows parallel approach by a person in a wheelchair, the maximum high side reach allowed shall be 54 in (1370 mm) and the low side reach shall be no less than 9 in (230 mm) above the floor (Fig. 6(a) and (b)). If the side reach is over an obstruction, the reach and clearances shall be as shown in Fig. 6(c).

4.3 Accessible Route.

4.3.1* General. All walks, halls, corridors, aisles, and other spaces that are part of an accessible route shall comply with 4.3.

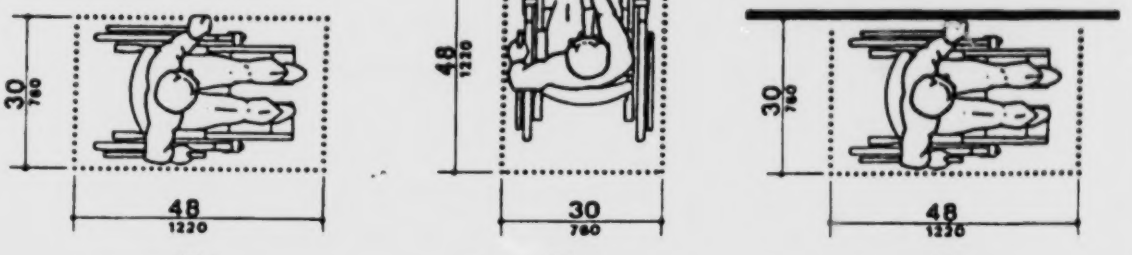
4.3.2 Location.

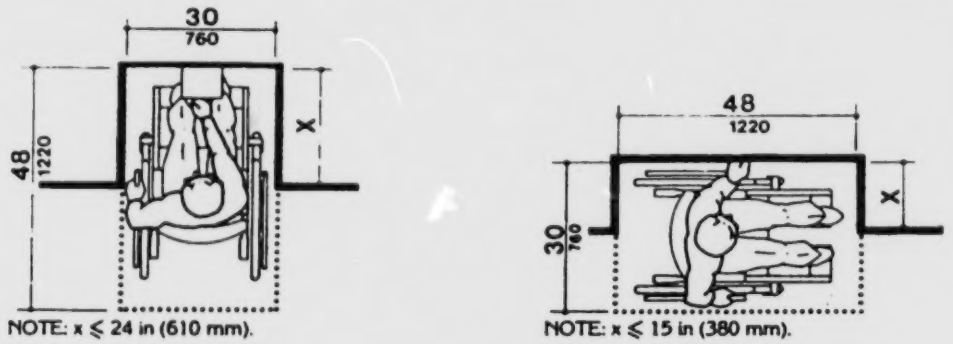
(1) At least one accessible route *within the boundary of the site* shall be provided from public transportation stops, accessible parking, and accessible passenger loading zones, and public streets or sidewalks to the accessible building entrance they serve.

(2) At least one accessible route shall connect accessible buildings, facilities, elements, and spaces that are on the same site.

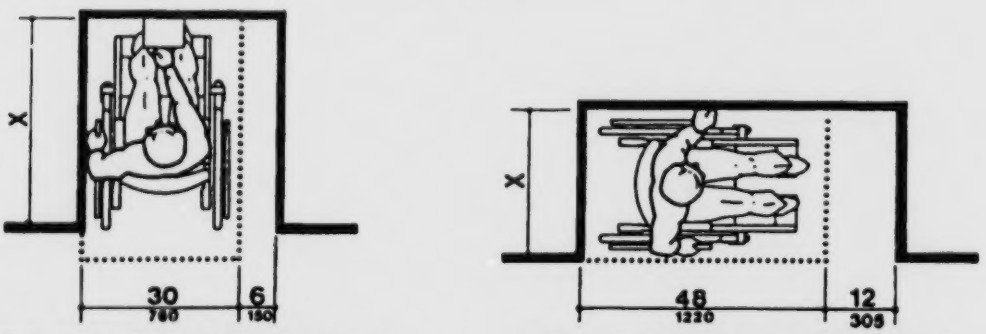
(3) At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements and with all accessible dwelling units within the building or facility.

(4) An accessible route shall connect at least one accessible entrance of each accessible dwelling unit with those exterior and interior spaces and facilities that serve the accessible dwelling unit.



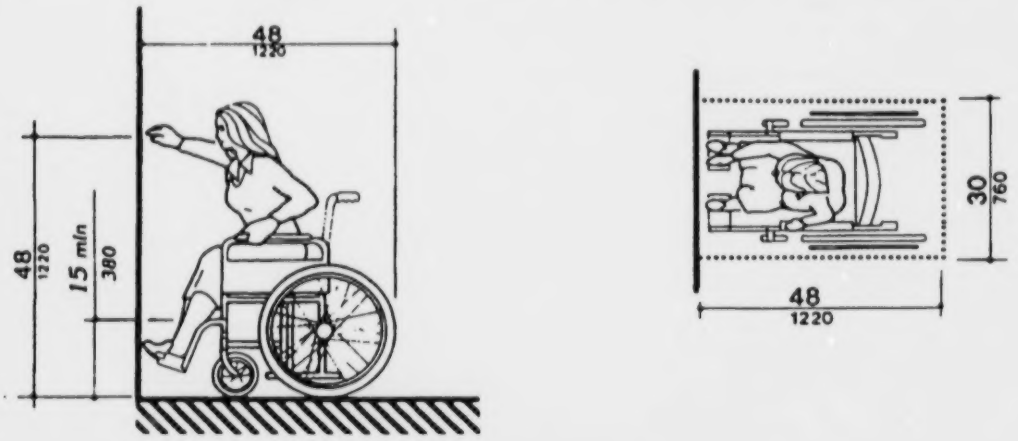


(d)
Clear Floor Space in Alcoves

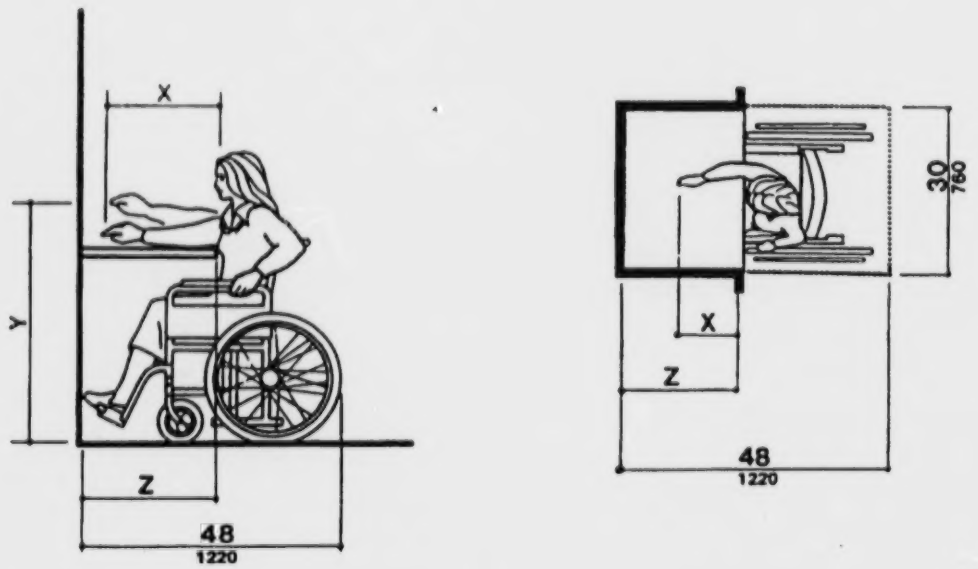

X
30
760
6
150
NOTE: If x > 24 in (610 mm), then an additional maneuvering clearance of 6 in (150 mm) shall be provided as shown.
X
48
1220
12
305
NOTE: If x > 15 in (380 mm), then an additional maneuvering clearance of 12 in (305 mm) shall be provided as shown.

(e)
Additional Maneuvering Clearances for Alcoves

Fig. 4
Minimum Clear Floor Space for Wheelchairs



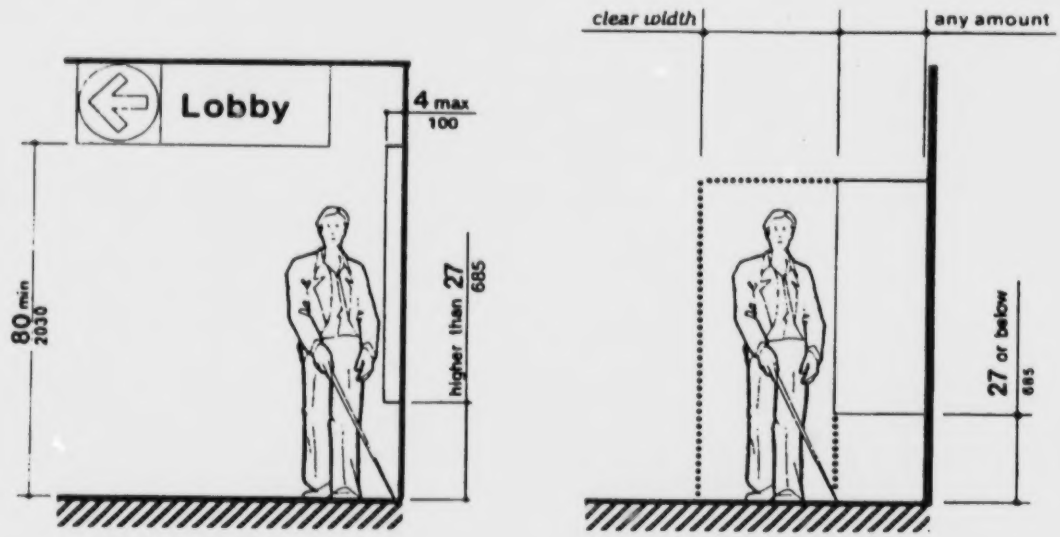
(a)
High Forward Reach Limit



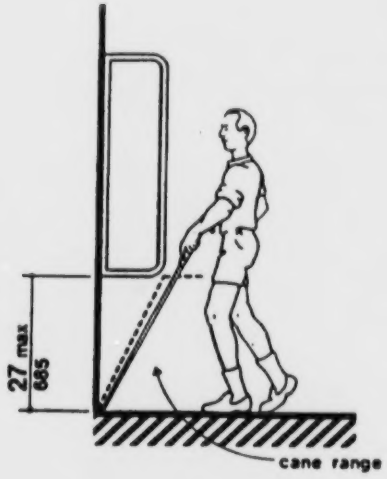
NOTE: x shall be ⩽ 25 in (635 mm); z shall be ⩾ x. When x < 20 in (510 mm), then y shall be 48 in (1220 mm) maximum. When x is 20 to 25 in (510 to 635 mm), then y shall be 44 in (1120 mm) maximum.

(b)
Maximum Forward Reach over an Obstruction

Fig. 5
Forward Reach



(a)
Walking Parallel to a Wall



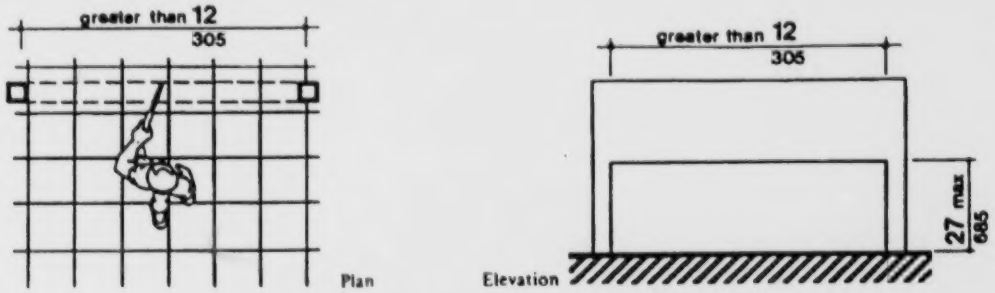
(b)
Walking Perpendicular to a Wall

Fig. 8
Protruding Objects

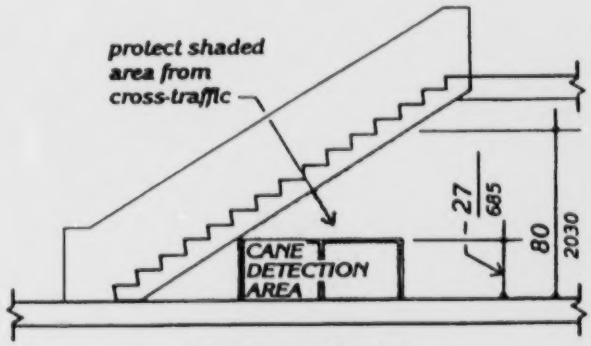
4.4 Protruding Objects.

4.4.1* General. Objects projecting from walls (for example, telephones) with their leading edges between 27 in and 80 in (685 mm and 2030 mm) above the finished floor shall protrude no more than 4 in (100 mm) into walks, halls, corridors, passageways, or aisles (see Fig. 8(a)). Objects mounted with their leading edges at or below 27 in (685 mm) above the finished floor may protrude any amount (see Fig. 8(a) and (b)). Free-standing objects mounted on posts or pylons may overhang 12 in (305 mm) maximum from 27 in to 80 in (685 mm to 2030 mm) above the ground or finished floor (see Fig. 8(c) and (d)). Protruding objects shall not reduce the clear width of an accessible route or maneuvering space (see Fig. 8(e)).

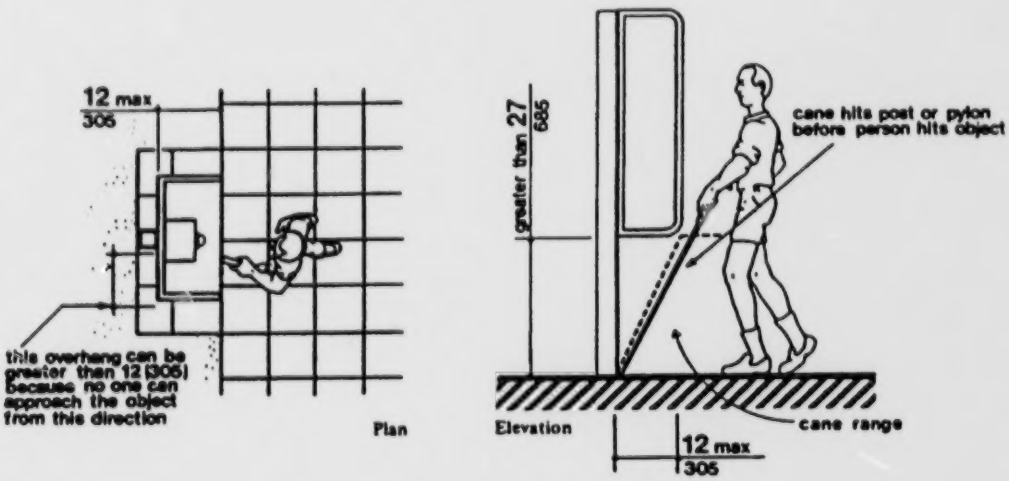
4.4.2 Head Room. Walks, halls, corridors, passageways, aisles, or other circulation spaces shall have 80 in (2030 mm) minimum clear head room (see Fig. 8(a)). *If vertical clearance of an area adjoining an accessible route is reduced to less than 80 in (nominal dimension), a barrier to warn blind or visually-impaired persons shall be provided (see Fig. 8(c)).*



(c) Free-Standing Overhanging Objects

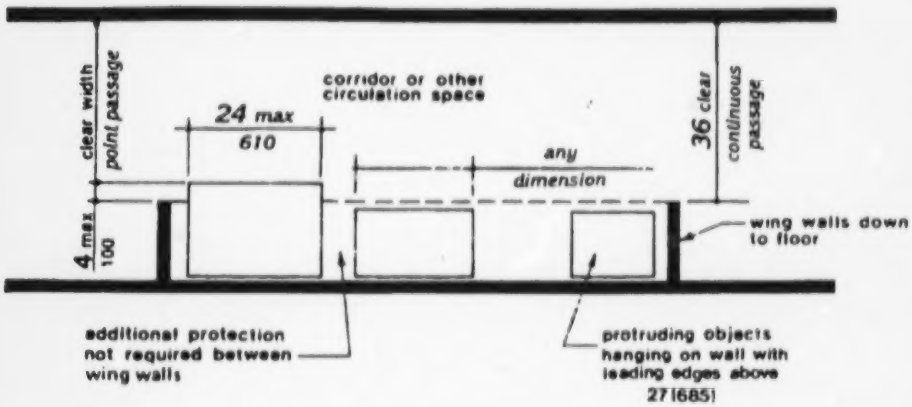


(c) Overhead Hazards



(d)
Objects Mounted on Posts or Pylons

Fig. 8
Protruding Objects *(Continued)*



(e)
Example of Protection around Wall-Mounted Objects and Measurements of Clear Widths

Fig. 8
Protruding Objects *(Continued)*

4.5 Ground and Floor Surfaces.

4.5.1* General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces, including floors, walks, ramps, stairs, and curb ramps, shall be stable, firm, *slip-resistant*, and shall comply with 4.5.

4.5.2 Changes in Level. Changes in level up to 1/4 in (6 mm) may be vertical and without edge treatment *(see Fig. 7(c))*. Changes in level between 1/4 in and 1/2 in (6 mm and 13 mm) shall be beveled with a slope no greater than 1:2 *(see Fig. 7(d))*. Changes in level greater than 1/2 in (13 mm) shall be accomplished by means of a ramp that complies with 4.7 or 4.8.

4.5.3* Carpet. If carpet or carpet tile is used on a ground or floor surface, then it shall be securely attached; have a firm cushion, pad, or backing or no cushion or pad; and have a level loop, textured loop, level cut pile, or level cut/uncut pile texture. The maximum pile height shall be 1/2 in (13 mm). Exposed edges of carpet shall be fastened to floor surfaces and have trim along the entire length of the exposed edge. Carpet edge trim shall comply with 4.5.2. *If carpet tile is used on an accessible ground or floor surface, it shall have a maximum combined thickness of pile, cushion, and backing height of 1/2 in (13 mm) (see Fig. 8(f))*.

4.5.4 Gratings. If gratings are located in walking surfaces, then they shall have spaces no greater than 1/2 in (13 mm) wide in one direction *(see Fig. 8(g))*. If gratings have elongated openings, then they shall be placed so that the long dimension is perpendicular to the dominant direction of travel *(see Fig. 8(h))*.

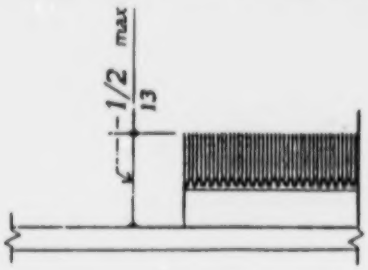


Fig. 8(f)
Carpet Tile Thickness

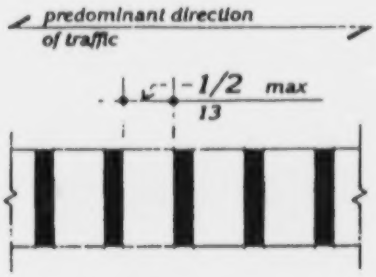


Fig. 8(g)
Gratings

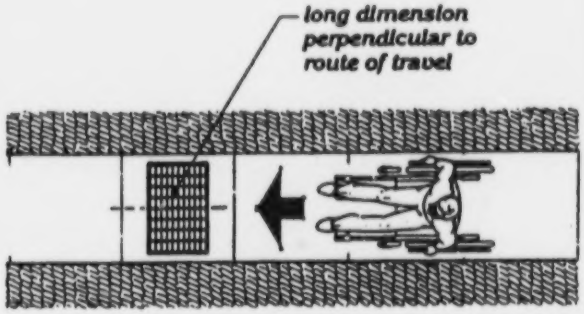


Fig. 8(h)
Grating Orientation

4.6 Parking and Passenger Loading Zones.

4.6.1 Minimum Number. *Parking spaces required to be accessible by 4.1 shall comply with 4.6.2 through 4.6.4. Passenger loading zones required to be accessible by 4.1 shall comply with 4.6.5 and 4.6.6.*

4.6.2 Location. Parking spaces for disabled people and accessible passenger loading zones that serve a particular building shall be *the spaces or zones located closest to the nearest accessible entrance on an accessible route.* In separate parking structures or lots that do not serve a particular building, parking spaces for disabled people shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

4.6.3* Parking Spaces. Parking spaces for disabled people shall be at least 96 in (2440 mm) wide and shall have an adjacent access aisle 60 in (1525 mm) wide minimum (see Fig. 9). Parking access aisles shall be part of an accessible route to the building or facility entrance and shall comply with 4.3. Two accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clear width of an accessible circulation route. *Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 in all directions.*

EXCEPTION: If accessible parking spaces for vans designed for handicapped persons are provided, each should have an adjacent access aisle at least 96 in (2440 mm) wide complying with 4.5, Ground and Floor Surfaces.

4.6.4* Signage. Accessible parking spaces shall be designated as reserved for the disabled by a sign showing the symbol of accessibility (see 4.30.5). Such signs shall not be obscured by a vehicle parked in the space.

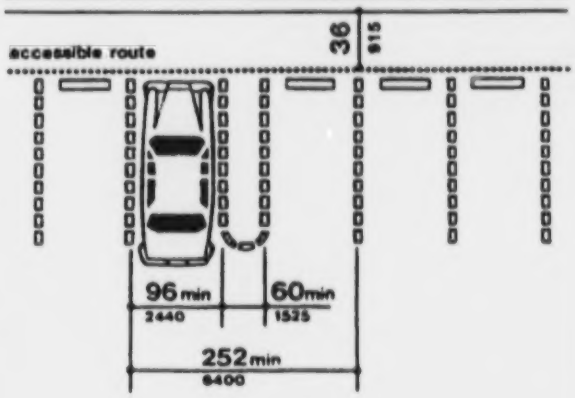


Fig. 9
Dimensions of Parking Spaces

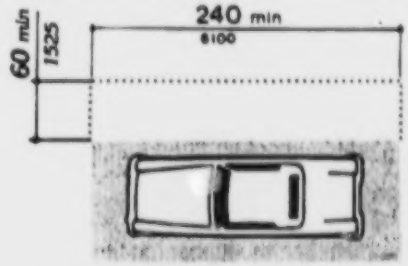


Fig. 10
Access Aisle at Passenger Loading Zones

4.6.5 Passenger Loading Zones. Passenger loading zones shall provide an access aisle at least *60* in (*1525* mm) wide and 20 ft (6 m) long adjacent and parallel to the vehicle pull-up space (see Fig. 10). If there are curbs between the access aisle and the vehicle pull-up space, then a curb ramp complying with 4.7 shall be provided. *Vehicle standing spaces and access aisles shall be level with surface slopes not exceeding 1:50 in all directions.*

4.6.6 *Vertical Clearance:* *Provide minimum vertical clearances of 114 in at accessible passenger loading zones and along vehicle access routes to such areas from site entrances. If accessible van parking spaces are provided, then the minimum vertical clearance should be 114 in.*

4.7 Curb Ramps.

4.7.1 Location. Curb ramps complying with 4.7 shall be provided wherever an accessible route crosses a curb.

4.7.2 Slope. Slopes of curb ramps shall comply with 4.8.2. The slope shall be measured as shown in Fig. 11. *Transitions from ramps to walks, gutters, or streets shall be flush and free of abrupt changes. Maximum slopes of adjoining gutters, road surface immediately adjacent to the curb ramp, or accessible route shall not exceed 1:20.*

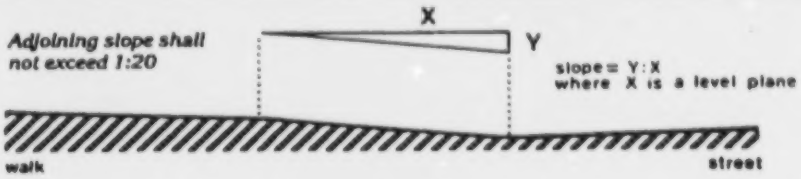
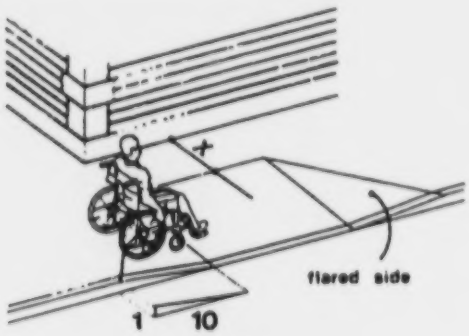
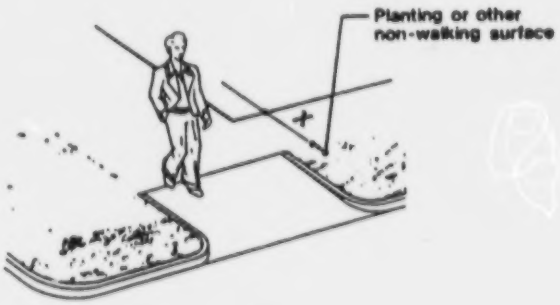


Fig. 11
Measurement of Curb Ramp Slopes



(a)
Flared Sides



(b)
Returned Curb

If X is less than 48 in, then the slope of the flared side shall not exceed 1:12.

Fig. 12
Sides of Curb Ramps

4.7.3 Width. The minimum width of a curb ramp shall be 36 in (915 mm), exclusive of flared sides.

4.7.4 Surface. Surfaces of curb ramps shall comply with 4.5.

4.7.5 Sides of Curb Ramps. If a curb ramp is located where pedestrians must walk across the ramp, *or where it is not protected by handrails or guard rails*, then it shall have flared sides; the maximum slope of the flare shall be 1:10 (see Fig. 12(a)). Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp (see Fig. 12(b)).

4.7.6 Built-up Curb Ramps. Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes (see Fig. 13).

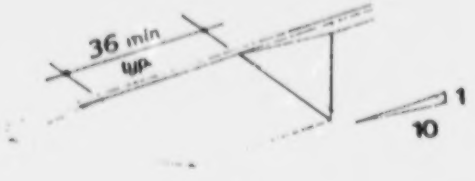


Fig. 13
Built-Up Curb Ramp

4.7.7 Warning Textures. *(Removed and reserved).*

4.7.8 Obstructions. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.

4.7.9 Location at Marked Crossings. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides (see Fig. 15).

4.7.10 Diagonal Curb Ramps. If diagonal (or corner type) curb ramps have returned curbs or other well-defined edges, such edges shall be parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have 48 in (1220 mm) minimum clear space as shown in Fig. 15(c) and (d). If diagonal curb ramps are provided at marked crossings, the 48 in (1220 mm) clear space shall be within the markings (see Fig. 15(c) and (d)). If diagonal curb ramps have flared sides, they shall also have at least a 24 in (610 mm) long segment of straight curb located on each side of the curb ramp and within the marked crossing (see Fig. 15(c)).

4.7.11 Islands. Any raised islands in crossings shall be cut through level with the street or have curb ramps at both sides and a level area at least 48 in (1220 mm) long in the part of the island intersected by the crossings (see Fig. 15(a) and (b)).

4.7.12 Uncurbed Intersections. *(Removed and reserved).*

4.8 Ramps.

4.8.1* General. Any part of an accessible route with a slope greater than 1:20 shall be considered a ramp and shall comply with 4.8.

4.8.2* Slope and Rise. The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in (760 mm) (see Fig. 16). Curb ramps and ramps to be constructed on existing sites or in existing buildings or facilities may have slopes and rises as shown in Table 2 if space limitations prohibit the use of a 1:12 slope or less *(see 4.1.6)*.

4.8.3 Clear Width. The minimum clear width of a ramp shall be 36 in (915 mm).

4.8.4 Landings. Ramps shall have level landings at the bottom and top of each run. Landings shall have the following features:

(1) The landing shall be at least as wide as the ramp run leading to it.

(2) The landing length shall be a minimum of 60 in (1525 mm) clear.

(3) If ramps change direction at landings, the minimum landing size shall be 60 in by 60 in (1525 mm by 1525 mm).

(4) If a doorway is located at a landing, then the area in front of the doorway shall comply with 4.13.6.

4.8.5* Handrails. If a ramp run has a rise greater than 6 in (250 mm) or a horizontal projection greater than 72 in (1830 mm), then it shall have handrails on both sides. Handrails are not required on curb ramps. Handrails shall comply with 4.26 and shall have the following features:

(1) Handrails shall be provided along both sides of ramp segments. The inside handrail on switchback or dogleg ramps shall always be continuous.

(2) If handrails are not continuous, they shall extend at least 12 in (305 mm) beyond the top and bottom of the ramp segment and shall be parallel with the floor or ground surface.

(3) The clear space between the handrail and the wall shall be 1-1/2 in (38 mm).

(4) Gripping surfaces shall be continuous.

(5) *Top of handrail gripping surfaces shall be mounted between 30 in and 34 in (760 mm and 865 mm) above ramp surfaces.*

(6) *Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post.*

(7) *Handrails shall not rotate within their fittings.*

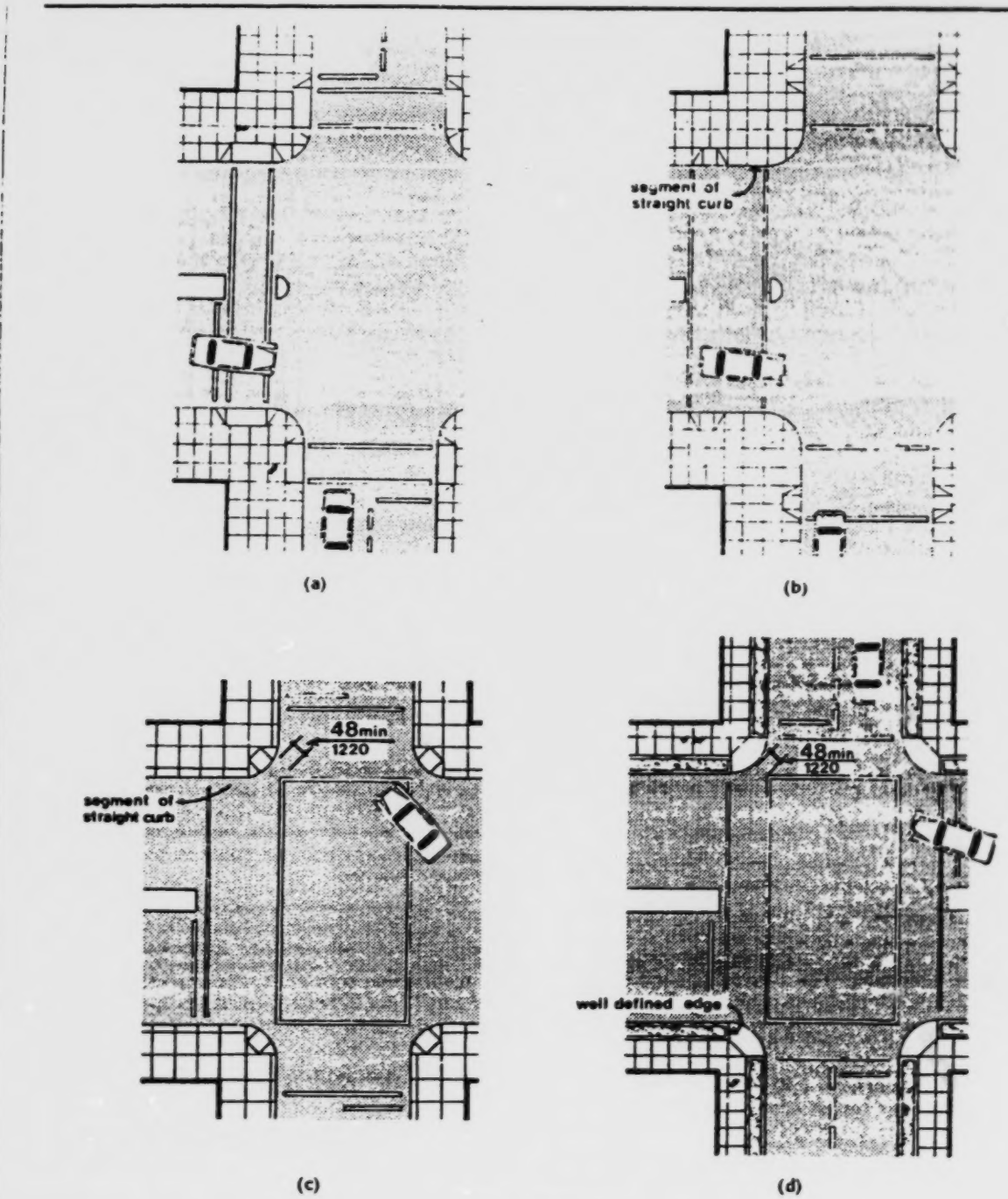
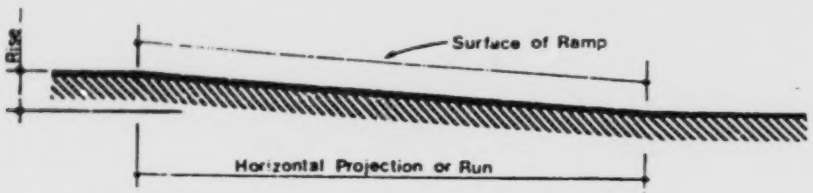


Fig. 15
Curb Ramps at Marked Crossings



	Maximum Rise		Maximum Horizontal Projection	
Slope	in	mm	ft	m
1:12 to < 1:16	30	760	30	9
1:16 to < 1:20	30	760	40	12

Fig. 16
Components of a Single Ramp Run and Sample Ramp Dimensions

4.8.6 Cross Slope and Surfaces. The cross slope of ramp surfaces shall be no greater than 1:50. Ramp surfaces shall comply with 4.5.

4.8.7 Edge Protection. Ramps and landings with drop-offs shall have curbs, walls, railings, or projecting surfaces that prevent people from slipping off the ramp. Curbs shall be a minimum of 2 in (50 mm) high (see Fig. 17).

4.8.8 Outdoor Conditions. Outdoor ramps and their approaches shall be designed so that water will not accumulate on walking surfaces.

4.9 Stairs.

4.9.1 Minimum Number. *Stairs required to be accessible by 4.1 shall comply with 4.9.*

4.9.2 Treads and Risers. On any given flight of stairs, all steps shall have uniform riser heights and uniform tread widths. Stair treads shall be no less than 11 in (280 mm) wide, measured from riser to riser (see Fig. 18(a)). *Open risers are not permitted on accessible routes.*

4.9.3 Nosings. The undersides of nosings shall not be abrupt. The radius of curvature at the leading edge of the tread shall be no greater than 1/2 in (13 mm). Risers shall be sloped or the underside of the nosing shall have an angle not less than 60 degrees from the horizontal. Nosings shall project no more than 1-1/2 in (38 mm) (see Fig. 18).

4.9.4 Handrails. Stairways shall have handrails at both sides of all stairs. Handrails shall comply with 4.26 and shall have the following features:

(1) Handrails shall be continuous along both sides of stairs. The inside handrail on switchback or dogleg stairs shall always be continuous (see Fig. 19(a) and (b)).

(2) If handrails are not continuous, they shall extend at least 12 in (305 mm) beyond the top riser and at least 12 in (305 mm) plus the width of one tread beyond the bottom riser. At the top, the extension shall be parallel with the floor or ground surface. At the bottom, the handrail shall continue to slope for a distance of the width of one tread from the bottom riser; the remainder of the extension shall be horizontal (see Fig. 19(c) and (d)). Handrail extensions shall comply with 4.4.

(3) The clear space between handrails and wall shall be 1-1/2 in (38 mm).

(4) Gripping surfaces shall be uninterrupted by newel posts, other construction elements, or obstructions.

(5) *Top of handrail gripping surface shall be mounted between 30 in and 34 in (760 mm and 865 mm) above stair nosings.*

(6) *Ends of handrails shall be either rounded or returned smoothly to floor, wall, or post.*

(7) *Handrails shall not rotate within their fittings.*

4.9.5 Tactile Warnings at Stairs. *(Removed and reserved).*

4.9.6 Outdoor Conditions. Outdoor stairs and their approaches shall be designed so that water will not accumulate on walking surfaces.

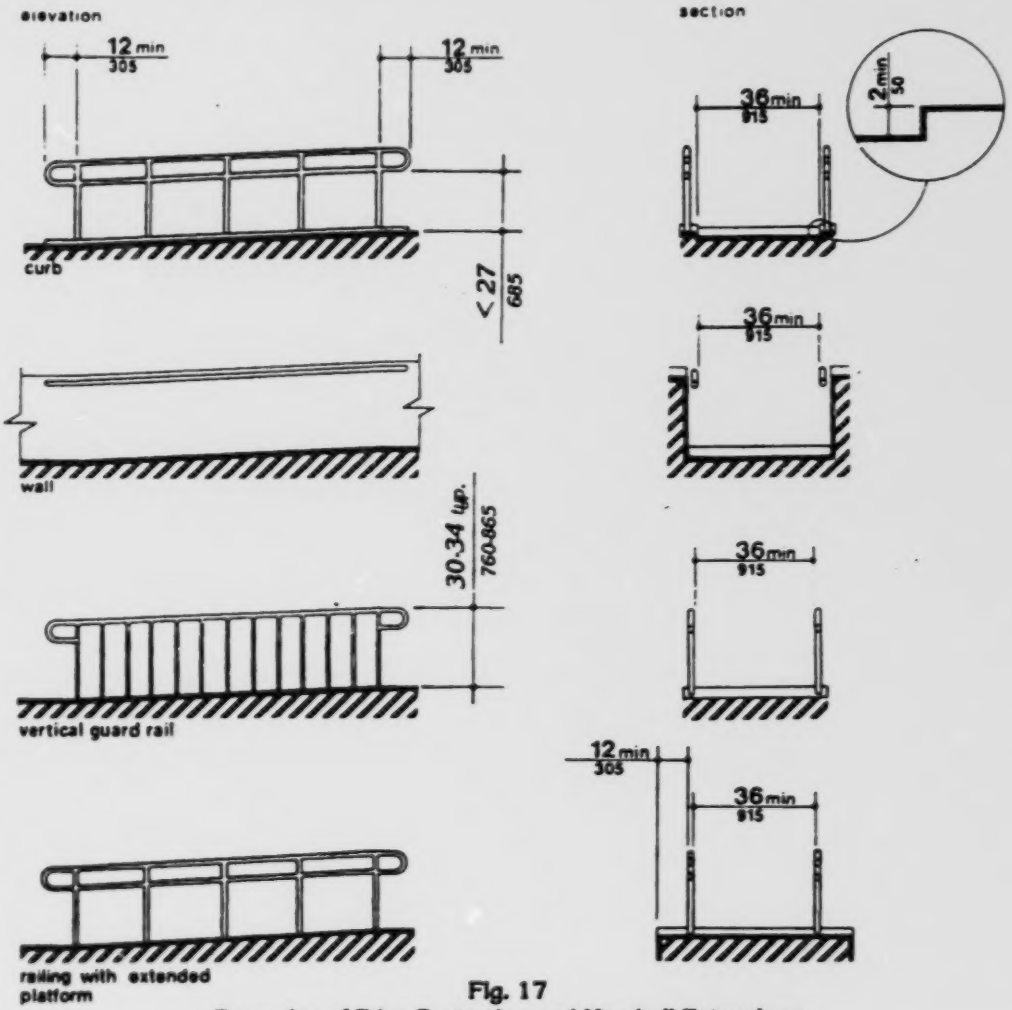
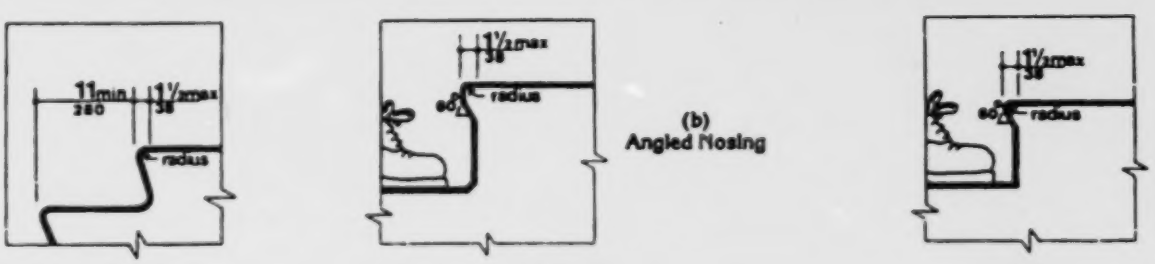


Fig. 17
Examples of Edge Protection and Handrail Extensions

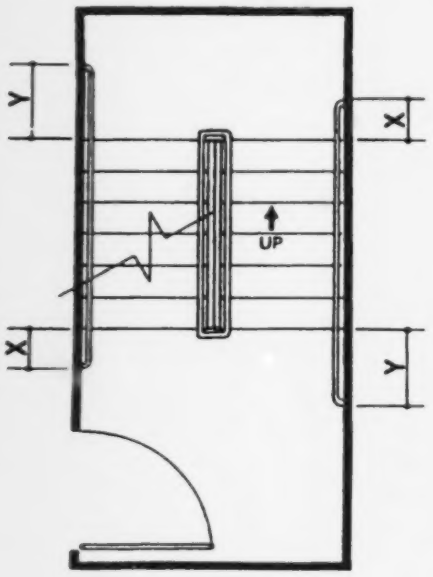


(a)
Flush Riser

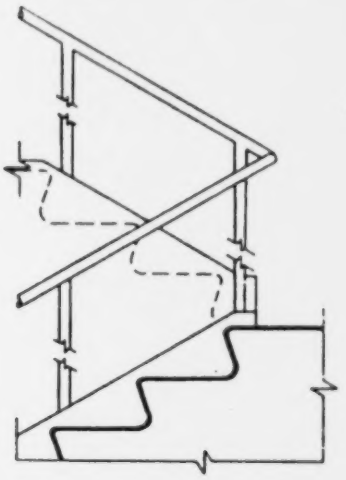
(b)
Angled Nosing

(c)
Rounded Nosing

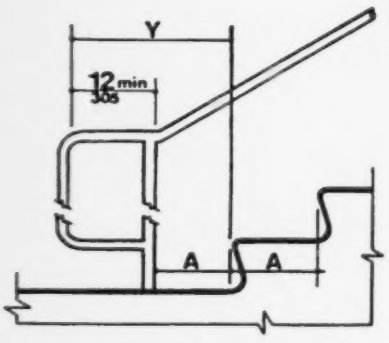
Fig. 18
Usable Tread Width and Examples of Acceptable Nosings



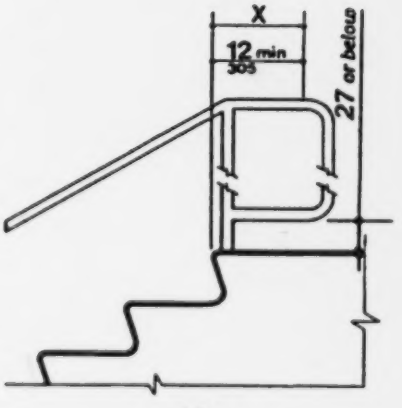
(a)
Plan



(b)
Elevation of Center Handrail



(c)
Extension at Bottom of Run



(d)
Extension at Top of Run

NOTE:

X is the 12 in minimum handrail extension required at each top riser.

Y is the minimum handrail extension of 12 in plus the width of one tread that is required at each bottom riser.

Fig. 19
Stair Handrails

4.10 Elevators.

4.10.1 General. *Accessible* elevators shall be on an accessible route and shall comply with 4.10 and with the American National Standard Safety Code for Elevators, Dumbwaiters, Escalators, and Moving Walks, ANSI A17.1-1978 and A17.1a-1979. This standard does not preclude the use of residential or fully enclosed wheelchair lifts when appropriate and approved by administrative authorities. *Freight elevators shall not be considered as meeting the requirements of this section, unless the only elevators provided are used as combination passenger and freight elevators for the public and employees.*

4.10.2 Automatic Operation. Elevator operation shall be automatic. Each car shall be equipped with a self-leveling feature that will automatically bring the car to floor landings within a tolerance of 1/2 in (13 mm) under rated loading to zero loading conditions. This self-leveling feature shall be automatic and independent of the operating device and shall correct the overtravel or undertravel.

4.10.3 Hall Call Buttons. Call buttons in elevator lobbies and halls shall be centered at 42 in (1065 mm) above the floor. Such call buttons shall have visual signals to indicate when each call is registered and when each call is answered. Call buttons shall be a minimum of 3/4 in (19 mm) in the smallest dimension. The button designating the up direction shall be on top (see Fig. 20). *Buttons shall be raised or flush. Objects mounted beneath hall call buttons shall not project into the elevator lobby more than 4 in (100 mm).*

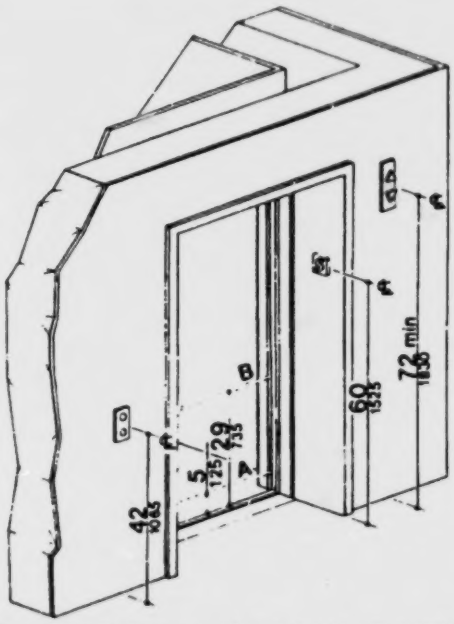
4.10.4 Hall Lanterns. A visible and audible signal shall be provided at each hoistway entrance to indicate which car is answering a call. Audible signals shall sound once for the up direction and twice for the down direction or shall have verbal annunciators that say "up" or "down." Visible signals shall have the following features:

(1) Hall lantern fixtures shall be mounted so that their centerline is at least 72 in (1830 mm) above the lobby floor.

(2) Visual elements shall be at least 2-1/2 in (64 mm) in the smallest dimension.

(3) Signals shall be visible from the vicinity of the hall call button. In-car lanterns located in cars, visible from the vicinity of hall call buttons, and conforming to the above requirements, shall be acceptable (see Fig. 20).

4.10.5 *Raised* Characters on Hoistway Entrances. All elevator hoistway entrances shall have *raised* floor designations provided on both jambs. The centerline of the characters shall be 60 in (1525 mm) from the floor. Such characters shall be 2 in (50 mm) high and shall comply with 4.30. Permanently applied plates are acceptable if they are permanently fixed to the jambs. (See Fig. 20).



NOTE: The automatic door reopening device is activated if an object passes through either line A or line B. Line A and line B represent the vertical locations of the door reopening device not requiring contact.

Fig. 20
Hoistway and Elevator Entrances

4.10.6* Door Protective and Reopening Device. Elevator doors shall open and close automatically. They shall be provided with a reopening device that will stop and reopen a car door and hoistway door automatically if the door becomes obstructed by an object or person. The device shall be capable of completing these operations without requiring contact for an obstruction passing through the opening at heights of 5 in and 29 in (125 mm and 735 mm) from the floor (see Fig. 20). Door reopening devices shall remain effective for at least 20 seconds. After such an interval, doors may close in accordance with the requirements of ANSI A17.1-1978 and A17.1a-1979.

4.10.7* Door and Signal Timing for Hall Calls. The minimum acceptable time from notification that a car is answering a call until the doors of that car start to close shall be calculated from the following equation:

$$T = \frac{D}{1.5\ ft/s} \qquad or\ T = \frac{D}{445\ mm/s}$$

where T = total time in seconds and D = distance (in feet or millimeters) from a point in the lobby or corridor 60 in (1525 mm) directly in front of the farthest

call button controlling that car to the centerline of its hoistway door (see Fig. 21). For cars with in car lanterns, T begins when the lantern is visible from the vicinity of hall call buttons and an audible signal is sounded. *The minimum acceptable notification time shall be 5 seconds.*

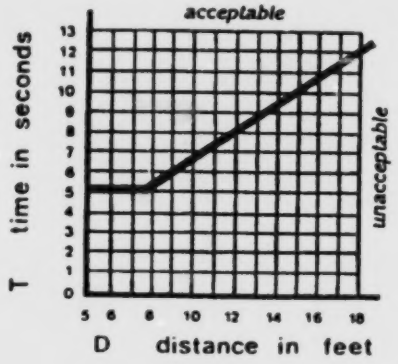


Fig. 21
Graph of Timing Equation

4.10.8 Door Delay for Car Calls. The minimum time for elevator doors to remain fully open in response to a car call shall be 3 seconds.

4.10.9 Floor Plan of Elevator Cars. The floor area of elevator cars shall provide space for wheelchair users to enter the car, maneuver within reach of controls, and exit from the car. Acceptable door opening and inside dimensions shall be as shown in Fig. 22. The clearance between the car platform sill and the edge of any hoistway landing shall be no greater than 1-1/4 in (32 mm).

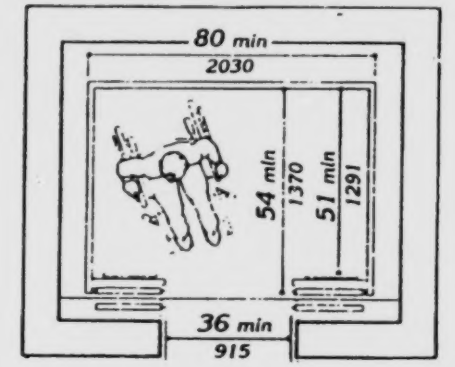
4.10.10 Floor Surfaces. Floor surfaces shall comply with 4.5.

4.10.11 Illumination Levels. The level of illumination at the car controls, platform, and car threshold and landing sill shall be at least 5 footcandles (53.8 lux).

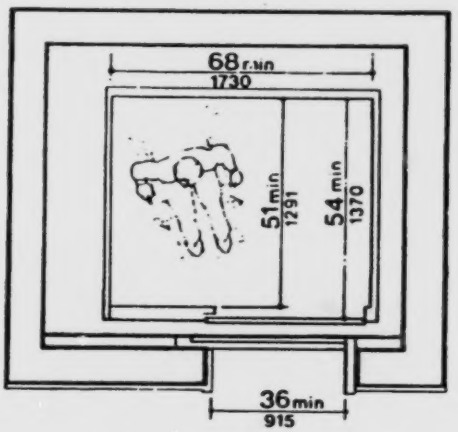
4.10.12* Car Controls. Elevator control panels shall have the following features:

(1) Buttons. All control buttons shall be at least 3/4 in (19 mm) in their smallest dimension. They may be *raised* or flush.

(2) Tactile and Visual Control Indicators. All control buttons shall be designated by *raised* standard alphabet characters for letters, arabic characters for numerals, or standard symbols as shown in Fig. 23(a), and as required in ANSI A17.1-1978 and A17.1a-1979. Raised characters and symbols shall comply with 4.30. The call button for the main entry floor shall be designated by a *raised* star at the left of the floor designation (see Fig. 23(a)). All *raised* designations for control buttons shall be placed immediately to the left of the button to which they apply. Applied plates, permanently attached, are an acceptable means to provide *raised* control designations. Floor buttons shall be provided with visual indicators to show when each call is registered. The visual indicators shall be extinguished when each call is answered.



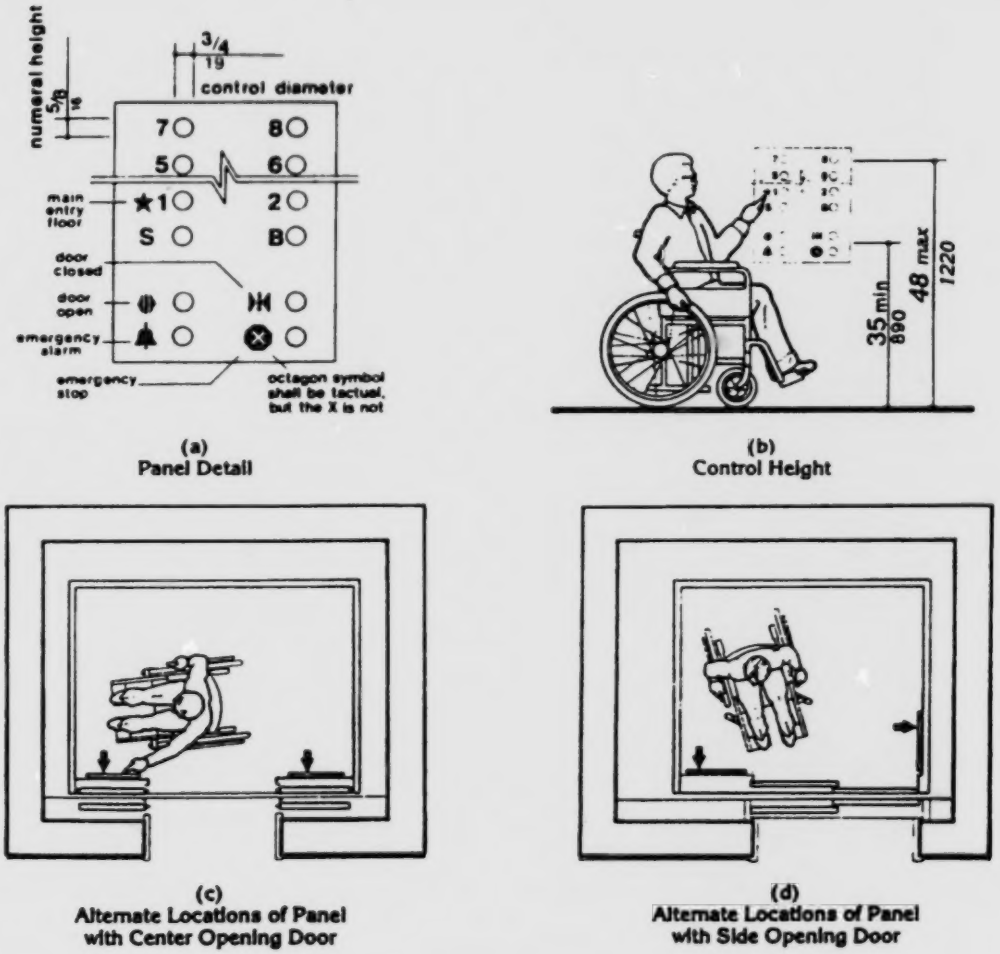
(a)



(b)

Fig. 22
Minimum Dimensions of Elevator Cars

(3) Height. All floor buttons shall be no higher than *48 in (1220 mm), unless there is a substantial increase in cost, in which case the maximum mounting height may be increased to 54 in (1370 mm),* above the floor. Emergency controls, including the emergency alarm and emergency stop, shall be grouped at the bottom of the panel and shall have their centerlines no less than 35 in (890 mm) above the floor (see Fig. 23(a) and (b)).



(a)
Panel Detail

(b)
Control Height

(c)
Alternate Locations of Panel with Center Opening Door

(d)
Alternate Locations of Panel with Side Opening Door

Fig. 23
Car Controls

(4) Location. Controls shall be located on a front wall if cars have center opening doors, and at the side wall or at the front wall next to the door if cars have side opening doors (see Fig. 23(c) and (d)).

4.10.13* Car Position Indicators. In elevator cars, a visual car position indicator shall be provided above the car control panel or over the door to show the position of the elevator in the hoistway. As the car passes or stops at a floor served by the elevators, the corresponding numerals shall illuminate, and an audible signal shall sound. Numerals shall be a minimum of 1/2 in (13 mm) high. The audible signal shall be no less than 20 decibels with a frequency no higher than 1500 Hz. An automatic verbal announcement of the floor number at which a car stops or which a car passes may be substituted for the audible signal.

4.10.14* Emergency Communications. If provided, emergency two-way communication systems between the elevator and a point outside the hoistway shall comply with ANSI A17.1-1978 and A17.1a-1979. The highest operable part of a two-way communication system shall be a maximum of 48 in (1220 mm) from the floor of the car. It shall be identified by a raised or recessed symbol and lettering complying with 4.30 and located adjacent to the device. If the system uses a handset, then the length of the cord from the panel to

the handset shall be at least 29 in (735 mm). *If the system is located in a closed compartment, the compartment door hardware shall conform to 4.27, Controls and Operating Mechanisms. The emergency intercommunication system shall not require voice communication.*

4.11* Platform Lifts.

4.11.1 Location. *Platform lifts permitted by 4.1 shall comply with the requirements of 4.11.*

4.11.2 Other Requirements. If platform lifts are used, they shall comply with 4.2.4, 4.5, 4.27, and the applicable safety regulations of administrative authorities having jurisdiction.

4.11.3 *Entrance.* *If platform lifts are used, then they should facilitate unassisted entry and exit from the lift in compliance with 4.11.2.*

4.12 Windows. *(Reserved).*

4.13 Doors.

4.13.1 General. *Doors required to be accessible by 4.1 shall comply with the requirements of 4.13.*

4.13.2 Revolving Doors and Turnstiles. Revolving doors or turnstiles shall not be the only means of passage at an accessible entrance or along an accessible route. *An accessible gate or door shall be provided adjacent to the turnstile or revolving door and shall be so designed as to facilitate the same use pattern.*

4.13.3 Gates. Gates, including ticket gates, shall meet all applicable specifications of 4.13.

4.13.4 Double-Leaf Doorways. If doorways have two *independently operated* door leaves, then at least one leaf shall meet the specifications in 4.13.5 and 4.13.6. That leaf shall be an active leaf.

4.13.5 Clear Width. Doorways shall have a minimum clear opening of 32 in (815 mm) with the door open 90 degrees, measured between the face of the door and the stop (see Fig. 24(a), (b), (c), and (d)). Openings more than 24 in (610 mm) in depth shall comply with 4.2.1 and 4.3.3 (see Fig. 24(e)).

EXCEPTION: Doors not requiring full user passage, such as shallow closets, may have the clear opening reduced to 20 in (510 mm) minimum.

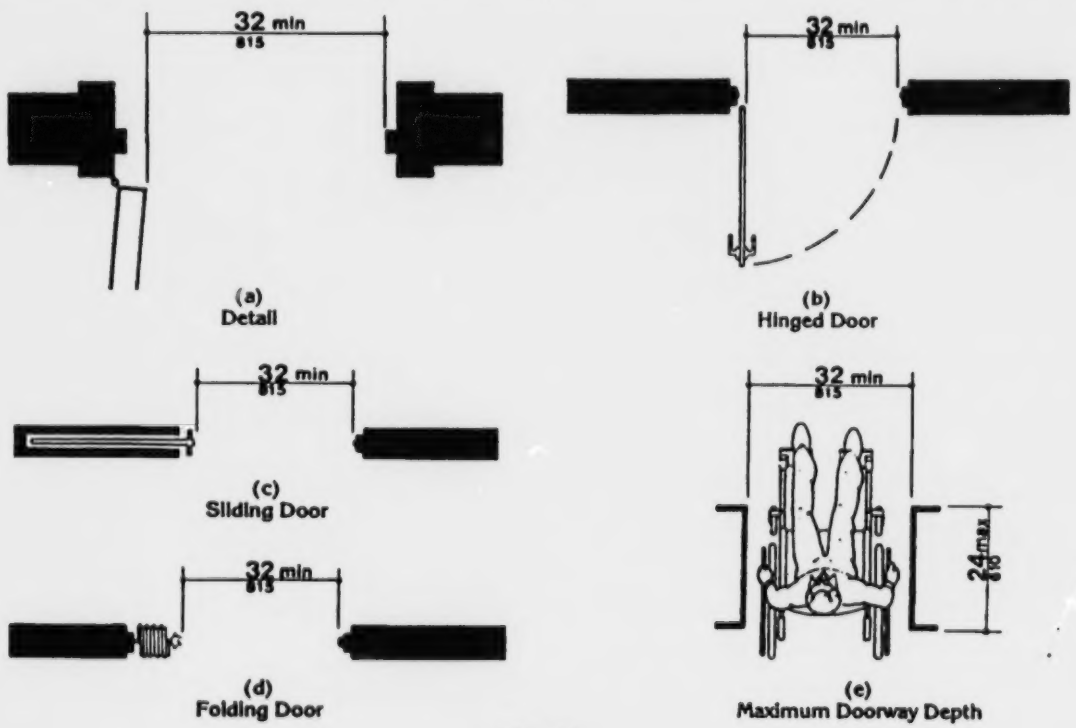


Fig. 24
Clear Doorway Width and Depth

the handset shall be at least 29 in (735 mm). *If the system is located in a closed compartment, the compartment door hardware shall conform to 4.27, Controls and Operating Mechanisms. The emergency intercommunication system shall not require voice communication.*

4.11* Platform Lifts.

4.11.1 Location. *Platform lifts permitted by 4.1 shall comply with the requirements of 4.11.*

4.11.2 Other Requirements. If platform lifts are used, they shall comply with 4.2.4, 4.5, 4.27, and the applicable safety regulations of administrative authorities having jurisdiction.

4.11.3 *Entrance.* *If platform lifts are used, then they should facilitate unassisted entry and exit from the lift in compliance with 4.11.2.*

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EXCEPTION: Doors not requiring full user passage, such as shallow closets, may have the clear opening reduced to 20 in (510 mm) minimum.

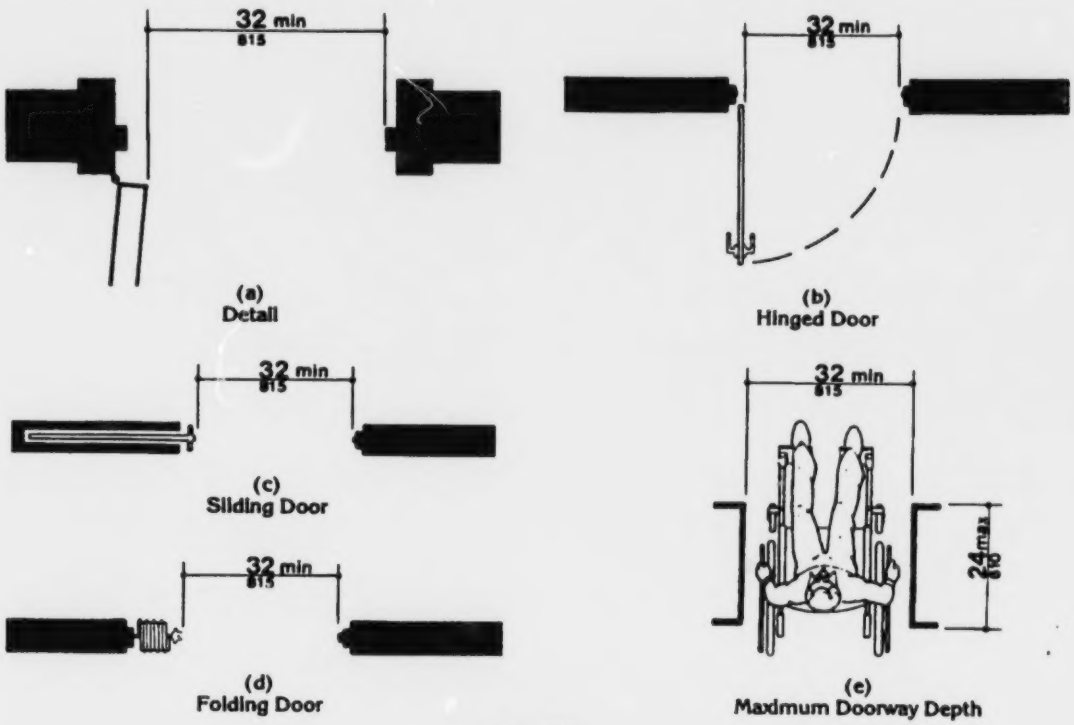
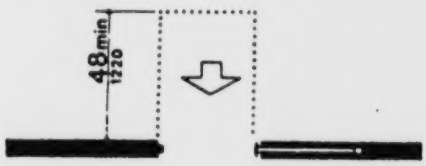
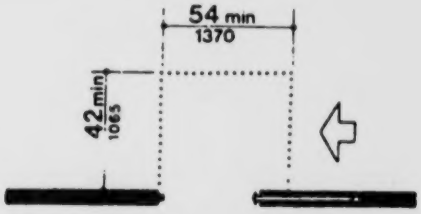


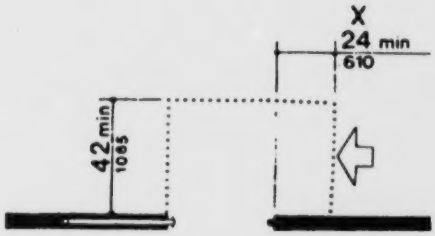
Fig. 24
Clear Doorway Width and Depth



(d)
Front Approach — Sliding Doors *and Folding Doors*



(e)
Slide Side Approach — Sliding Doors *and Folding Doors*



(f)
Latch Side Approach — Sliding Doors *and Folding Doors*

NOTE: All doors in alcoves shall comply with the clearances for front approaches.

Fig. 25
Maneuvering Clearances at Doors *(Continued)*

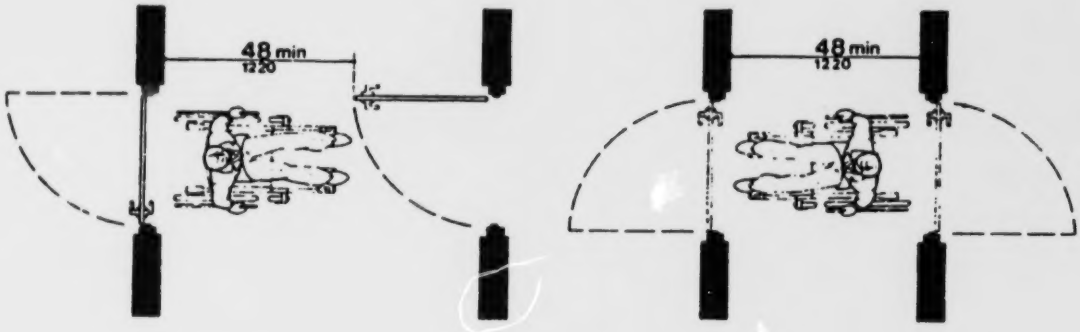


Fig. 26
Two Hinged Doors In Series

4.13.6 Maneuvering Clearances at Doors. Minimum maneuvering clearances at doors that are not automatic or power-assisted shall be as shown in Fig. 25. The floor or ground area within the required clearances shall be level and clear. Entry doors to acute care hospital bedrooms for in-patients shall be exempted from the requirement for space at the latch side of the door (see dimension "x" in Fig. 25) if the door is at least 44 in (1120 mm) wide.

4.13.7 Two Doors in Series. The minimum space between two hinged or pivoted doors in series shall be 48 in (1220 mm) plus the width of any door swinging into the space. Doors in series shall swing either in the same direction or away from the space between the doors (see Fig. 26).

4.13.8* Thresholds at Doorways. Thresholds at doorways shall not exceed 3/4 in (19 mm) in height for exterior sliding doors or 1/2 in (13 mm) for other types of doors. Raised thresholds and floor level changes at accessible doorways shall be beveled with a slope no greater than 1:2 (see 4.5.2).

4.13.9* Door Hardware. Handles, pulls, latches, locks, and other operating devices on accessible doors shall have a shape that is easy to grasp with one hand and does not require tight grasping, tight pinching, or twisting of the wrist to operate. Lever-operated mechanisms, push-type mechanisms, and U-shaped handles are acceptable designs. When sliding doors are fully open, operating hardware shall be exposed and usable from both sides. In dwelling units, only doors at accessible entrances to the unit itself shall comply with the requirements of this paragraph. Doors to hazardous areas shall have hardware complying with 4.29.3. *Mount no hardware required for accessible door passage higher than 48 in (1220 mm) above finished floor.*

4.13.10* Door Closers. If a door has a closer, then the sweep period of the closer shall be adjusted so that from an open position of 70 degrees, the door will take at least 3 seconds to move to a point 3 in (75 mm) from the latch, measured to the leading edge of the door.

4.13.11* Door Opening Force. The maximum force for pushing or pulling open a door shall be as follows:

(1) Fire doors shall have the minimum opening force allowable by the appropriate administrative authority.

(2) Other doors.

(a) exterior hinged doors: *(Reserved).*

(b) interior hinged doors: 5 lbf (22.2N)

(c) sliding or folding doors: 5 lbf (22.2N)

These forces do not apply to the force required to retract latch bolts or disengage other devices that may hold the door in a closed position.

4.13.12* Automatic Doors and Power-Assisted Doors. If an automatic door is used, then it shall comply with American National Standard for Power-Operated Doors, ANSI A156.10-1979. Slowly opening, low-powered, automatic doors shall be considered a type of custom design installation as described in paragraph 1.1.1 of ANSI A156.10-1979. Such doors shall not open to back check faster than 3 seconds and shall require no more than 15 lbf (66.6N) to stop door movement. If a power-assisted door is used, its door-opening force shall comply with 4.13.11 and its closing shall conform to the requirements in section 10 of ANSI A156.10-1979.

4.14 Entrances.

4.14.1 Minimum Number. *Entrances required to be accessible by 4.1* shall be part of an accessible route and shall comply with 4.3. Such entrances shall be connected by an accessible route to public transportation stops, to accessible parking and passenger loading zones, and to public streets or sidewalks if available (see 4.3.2(1)). They shall also be connected by an accessible route to all accessible spaces or elements within the building or facility.

4.14.2 Service Entrances. A service entrance shall not be the sole accessible entrance unless it is the only entrance to a building or facility (for example, in a factory or garage).

4.15 Drinking Fountains and Water Coolers.

4.15.1 Minimum Number. *Drinking fountains or water coolers required to be accessible by 4.1 shall comply with 4.15.*

4.15.2* Spout Height. Spouts shall be no higher than 36 in (915 mm), measured from the floor or ground surfaces to the spout outlet (see Fig. 27(a)).

4.15.3 Spout Location. The spouts of drinking fountains and water coolers shall be at the front of the unit and shall direct the water flow in a trajectory that is parallel or nearly parallel to the front of the unit. The spout shall provide a flow of water at least 4 in (100 mm) high so as to allow the insertion of a cup or glass under the flow of water.

4.15.4 Controls. Controls shall comply with 4.27.4. *Unit controls shall be front mounted or side mounted near the front edge.*

4.15.5 Clearances.

(1) Wall- and post-mounted cantilevered units shall have a clear knee space between the bottom of the apron and the floor or ground at least 27 in (685 mm) high, 30 in (760 mm) wide, and 17 in to 19 in (430 mm to 485 mm) deep (see Fig. 27(a) and (b)). Such units shall also have a minimum clear floor space 30 in by 48 in (760 mm by 1220 mm) to allow a person in a wheelchair to approach the unit facing forward.

(2) Free-standing or built-in units not having a clear space under them shall have a clear floor space at least 30 in by 48 in (760 mm by 1220 mm) that allows a person in a wheelchair to make a parallel approach to the unit (see Fig. 27(c) and (d)). This clear floor space shall comply with 4.2.4.

4.16 Water Closets.

4.16.1 General. Accessible water closets shall comply with 4.16. For water closets in *accessible* dwelling units, see 4.34.5.2.

4.16.2 Clear Floor Space. Clear floor space for water closets not in stalls shall comply with Fig. 28. Clear floor space may be arranged to allow either a left-handed or right-handed approach.

4.16.3* Height. The height of water closets shall be 17 in to 19 in (430 mm to 485 mm), measured to the top of the toilet seat (see Fig. 29(b)). *Seats shall not be sprung to return to a lifted position.*

4.16.4* Grab Bars. Grab bars for water closets not located in stalls shall comply with Fig. 29 and 4.26.

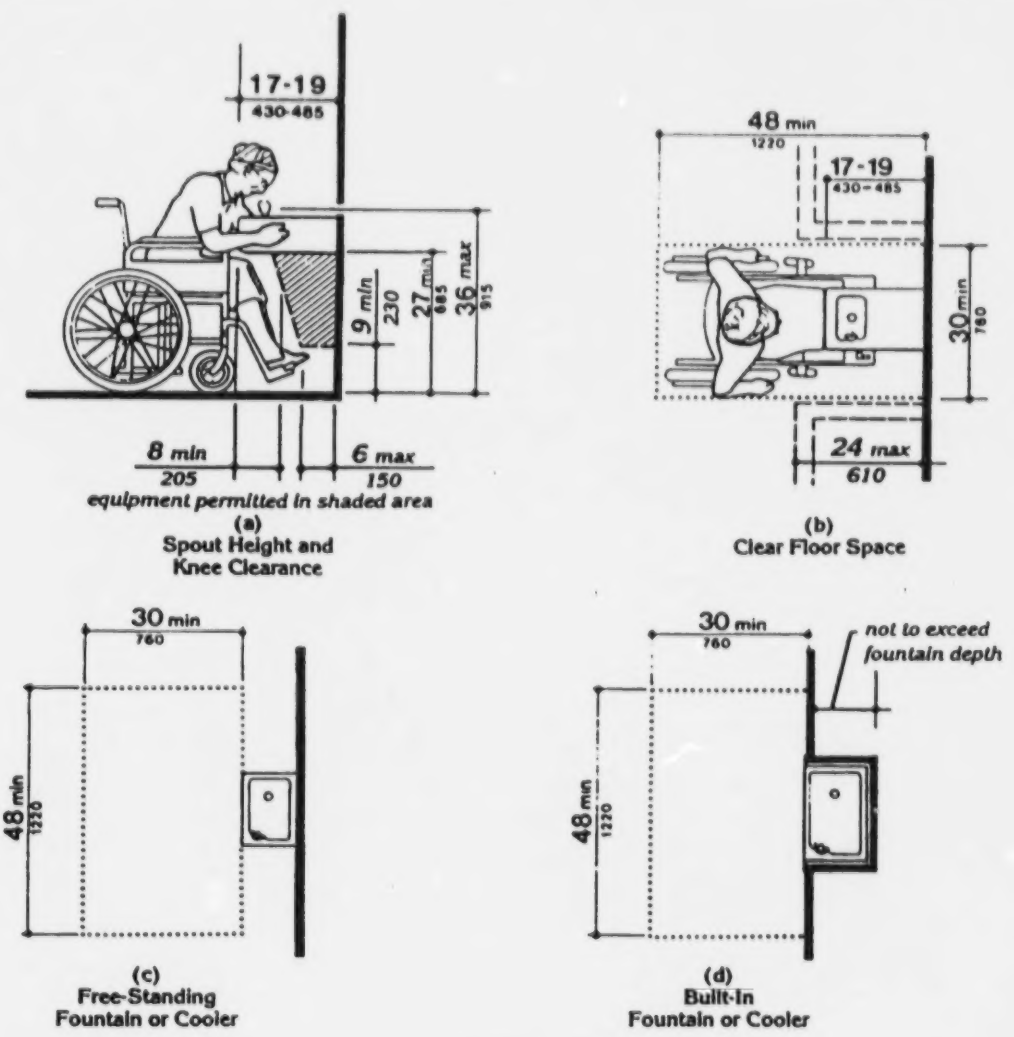


Fig. 27
Drinking Fountains and Water Coolers

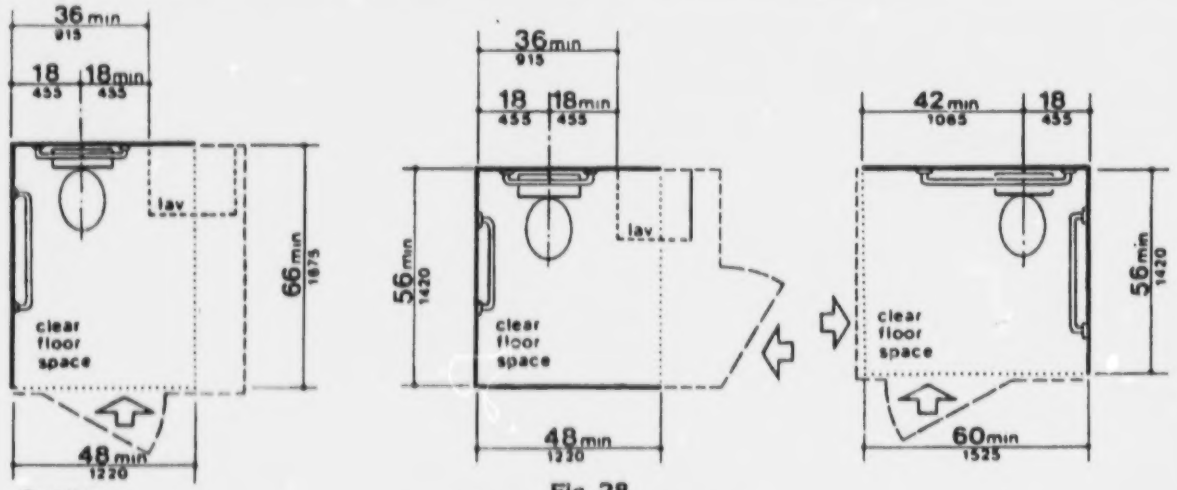


Fig. 28
Clear Floor Space at Water Closets

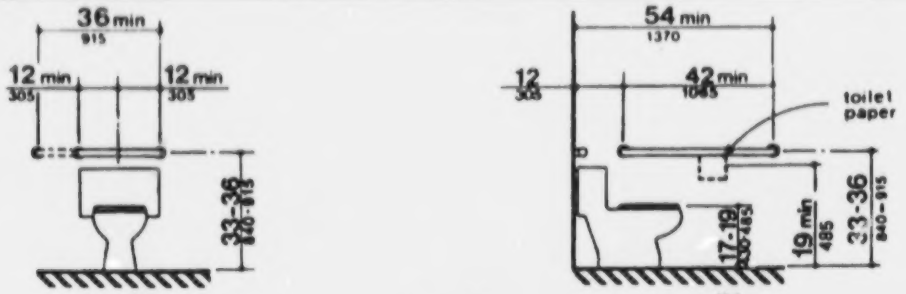


Fig. 29
Grab Bars at Water Closets

4.16.5* Flush Controls. Flush controls shall be hand operated *or automatic* and shall comply with 4.27.4. Controls for flush valves shall be mounted on the wide side of toilet areas no more than 44 in (1120 mm) above the floor.

4.16.6 Dispensers. Toilet paper dispensers shall be installed within reach, as shown in Fig. 29(b). *Dispensers that control delivery, or that do not permit continuous paper flow, shall not be used.*

4.17 Toilet Stalls.

4.17.1 Location. Accessible toilet stalls shall be on an accessible route and shall meet the requirements of 4.17.

4.17.2 Water Closets. Water closets in *accessible* stalls shall comply with 4.16.

4.17.3 Size and Arrangement. The size and arrangement of toilet stalls shall comply with Fig. 30(a). Toilet stalls with a minimum depth of 56 in (1420 mm) (see Fig. 30(a)) shall have wall-mounted water closets. If the depth of toilet stalls is increased at least 3 in (75 mm), then a floor-mounted water closet may be used. Arrangements shown for stalls may be reversed to allow either a left- or right-hand approach.

EXCEPTION: In instances of alteration work where provision of a standard stall (Fig. 30(a)) is structurally impracticable or where plumbing code requirements prevent combining existing stalls to provide space, an alternate stall (Fig. 30(b)) may be provided in lieu of the standard stall.

4.17.4 Toe Clearances. In standard stalls, the front partition and at least one side partition shall provide a toe clearance of at least 9 in (230 mm) above the floor. If the depth of the stall is greater than 60 in (1525 mm), then the toe clearance is not required.

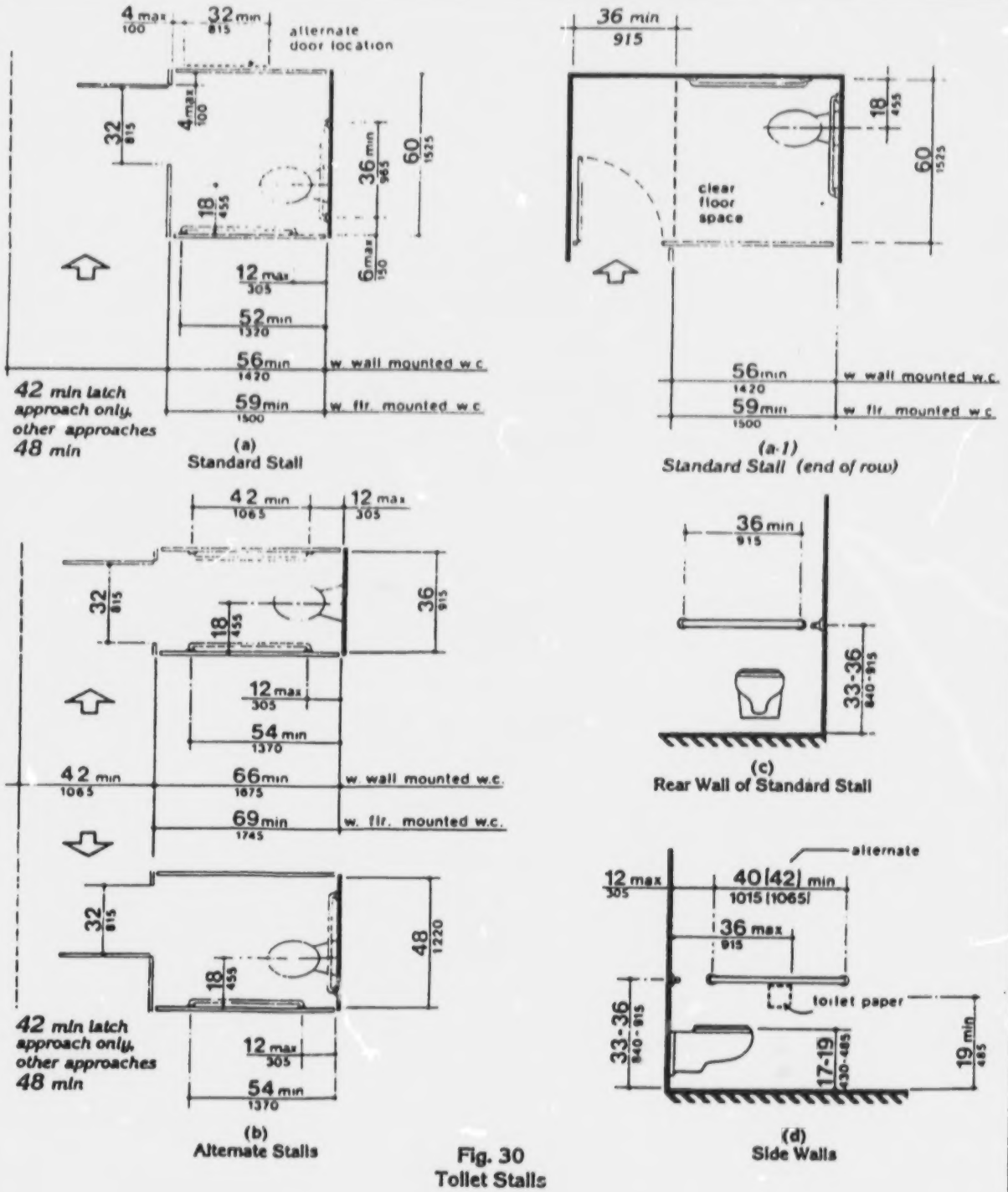


Fig. 30
Toilet Stalls

4.17.5* Doors. Toilet stall doors shall comply with 4.13. *If toilet stall approach is from the latch side of the stall door, clearance between the door side of the stall and any obstruction may be reduced to a minimum of 42 in (1065 mm).*

4.17.6 Grab Bars. Grab bars complying with the length and positioning shown in Fig. 30(a), (b), (c), and (d) shall be provided. Grab bars may be mounted with any desired method as long as they have a gripping surface at the locations shown and do not obstruct the required clear floor area. Grab bars shall comply with 4.26.

4.18 Urinals.

4.18.1 General. Accessible urinals shall comply with 4.18.

4.18.2 Height. Urinals shall be stall-type or wall-hung with an elongated rim at a maximum of 17 in (430 mm) above the floor.

4.18.3 Clear Floor Space. A clear floor space 30 in by 48 in (760 mm by 1220 mm) shall be provided in front of urinals to allow forward approach. This clear space shall adjoin or overlap an accessible route and shall comply with 4.2.4. *Urinal shields that do not extend beyond the front edge of the urinal rim may be provided with 29 in (735 mm) clearance between them.*

4.18.4 Flush Controls. Flush controls shall be hand operated or automatic, and shall comply with 4.27.4, and shall be mounted no more than 44 in (1120 mm) above the floor.

4.19 Lavatories and Mirrors.

4.19.1 General. The requirements of 4.19 shall apply to lavatory fixtures, vanities, and built-in lavatories.

4.19.2 Height and Clearances. Lavatories shall be mounted with *the rim or counter surface no higher than 34 in (865 mm) above the finished floor. Provide* a clearance of at least 29 in (735 mm) from the floor to the bottom of the apron. Knee and toe clearance shall comply with Fig. 31.

4.19.3 Clear Floor Space. A clear floor space 30 in by 48 in (760 mm by 1220 mm) complying with 4.2.4 shall be provided in front of a lavatory to allow forward approach. Such clear floor space shall adjoin or overlap an accessible route and shall extend a maximum of 19 in (485 mm) underneath the lavatory (see Fig. 32).

4.19.4 Exposed Pipes and Surfaces. Hot water and drain pipes under lavatories shall be insulated or otherwise covered. There shall be no sharp or abrasive surfaces under lavatories.

4.19.5 Faucets. Faucets shall comply with 4.27.4. Lever-operated, push-type, and electronically controlled mechanisms are examples of acceptable designs. Self-closing valves are allowed if the faucet remains open for at least 10 seconds.

4.19.6* Mirrors. Mirrors shall be mounted with the bottom edge *of the reflecting surface* no higher than 40 in (1015 mm) from the floor (see Fig. 31).

4.20 Bathtubs.

4.20.1 General. Accessible bathtubs shall comply with 4.20. For bathtubs in *accessible* dwelling units, see 4.34.5.4.

4.20.2 Floor Space. Clear floor space in front of bathtubs shall be as shown in Fig. 33.

4.20.3 Seat. An in-tub seat or a seat at the head end of the tub shall be provided as shown in Fig. 33 and 34. The structural strength of seats and their attachments shall comply with 4.26.3. Seats shall be mounted securely and shall not slip during use.

4.20.4 Grab Bars. Grab bars complying with 4.26 shall be provided as shown in Fig. 33 and 34.

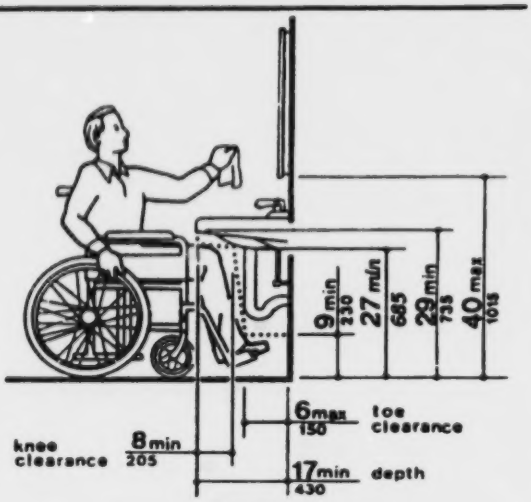


Fig. 31
Lavatory Clearances

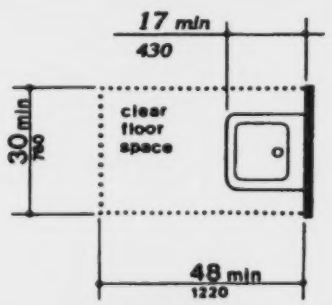


Fig. 32
Clear Floor Space at Lavatories

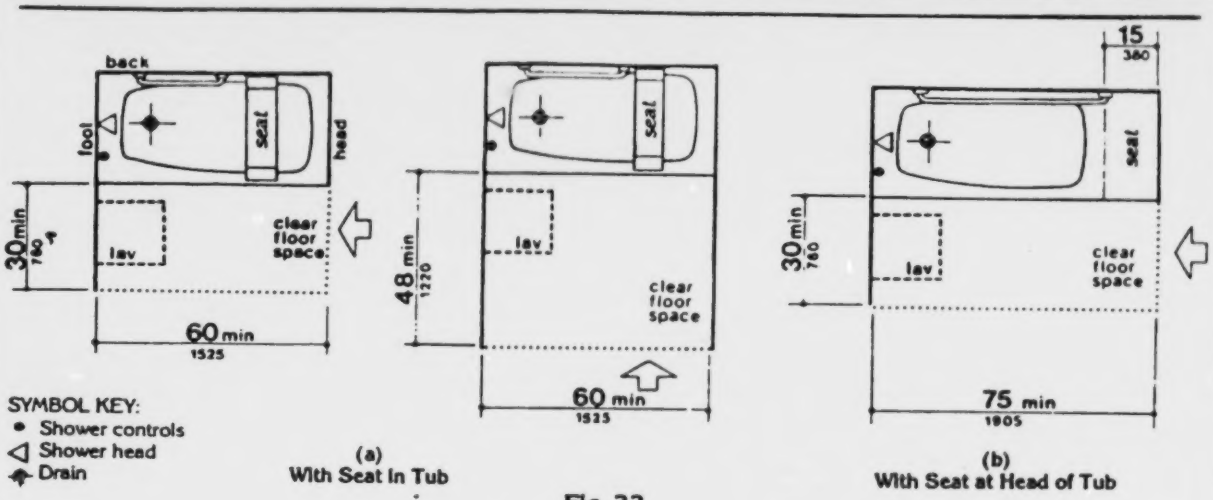


Fig. 33
Clear Floor Space at Bathtubs

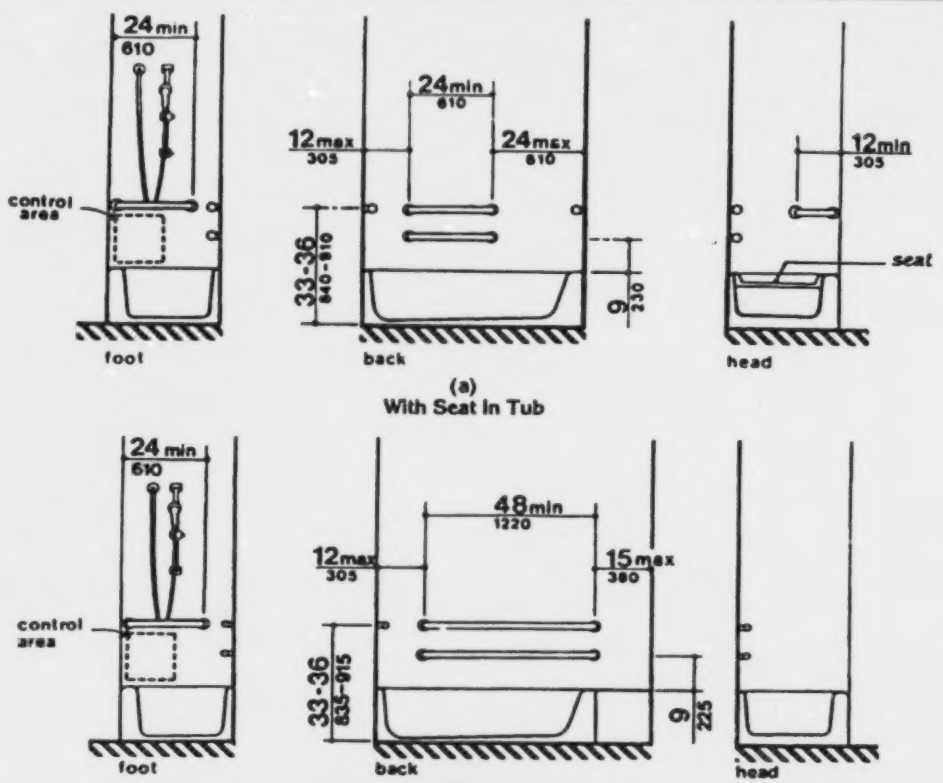


Fig. 34
Grab Bars at Bathtubs

4.20.5 Controls. Faucets and other controls complying with 4.27.4 shall be located as shown in Fig. 34.

4.20.6 Shower Unit. A shower spray unit with a hose at least 60 in (1525 mm) long that can be used as a fixed shower head or as a hand-held shower shall be provided.

4.20.7 Bathtub Enclosures. If provided, enclosures for bathtubs shall not obstruct controls or transfer from wheelchairs onto bathtub seats or into tubs. Enclosures on bathtubs shall not have tracks mounted on their rims.

4.21 Shower Stalls.

4.21.1* General. Accessible shower stalls shall comply with 4.21. For shower stalls in *accessible* dwelling units, see 4.34.5.5.

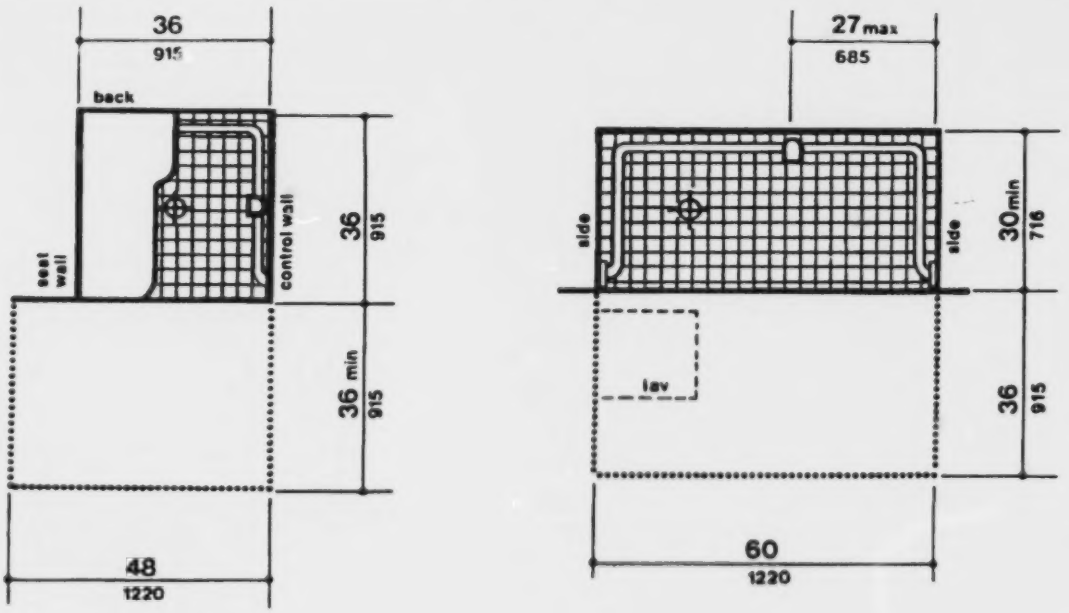
4.21.2 Size and Clearances. Shower stall size and clear floor space shall comply with Fig. 35(a) or (b). The shower stall in Fig. 35(a) shall be 36 in by 36 in (915 mm by 915 mm). The shower stall in Fig. 35(b) will fit into the space required for a bathtub.

4.21.3 Seat. A seat shall be provided in shower stalls 36 in by 36 in (915 mm by 915 mm) and shall be as shown in Fig. 36. The seat shall be mounted 17 in to 19 in (430 mm to 485 mm) from the bathroom floor and shall extend the full depth of the stall. The seat shall be on the wall opposite the controls. The structural strength of seats and their attachments shall comply with 4.26.3.

4.21.4 Grab Bars. Grab bars complying with 4.26 shall be provided as shown in Fig. 37.

4.21.5 Controls. Faucets and other controls complying with 4.27.4 shall be located as shown in Fig. 37. In shower stalls 36 in by 36 in (915 mm by 915 mm), all controls, faucets, and the shower unit shall be mounted on the side wall opposite the seat.

4.21.6 Shower Unit. A shower spray unit with a hose at least 60 in (1525 mm) long that can be used as a fixed shower head or as a hand-held shower shall be provided.



(a)
36-in by 36-in
(915-mm by 915-mm) Stall

(b)
30-in by 60-in
(760-mm by 1525-mm) Stall

Fig. 35
Shower Size and Clearances

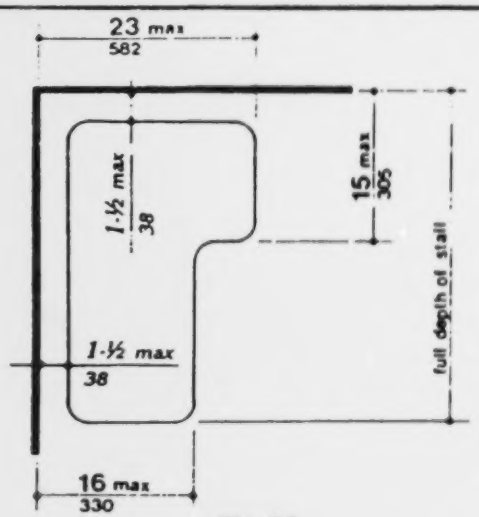


Fig. 36
Shower Seat Design

EXCEPTION: In unmonitored facilities where vandalism is a consideration, a fixed shower head mounted at 48 in (1220 mm) above the shower floor may be used in lieu of a hand-held shower head.

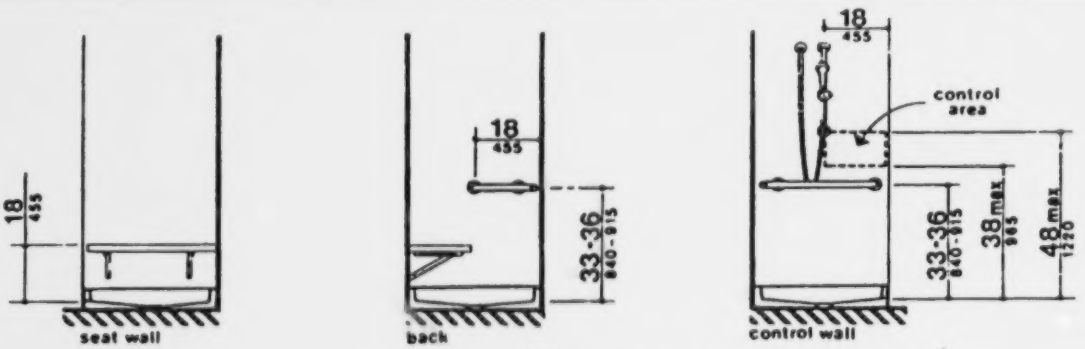
4.21.7 Curbs. If provided, curbs in shower stalls 36 in by 36 in (915 mm by 915 mm) shall be no higher than *1/2 in (13 mm)*. Shower stalls that are 30 in by 60 in (760 mm by 1525 mm) shall not have curbs.

4.21.8 Shower Enclosures. If provided, enclosures for shower stalls shall not obstruct controls or obstruct transfer from wheelchairs onto shower seats.

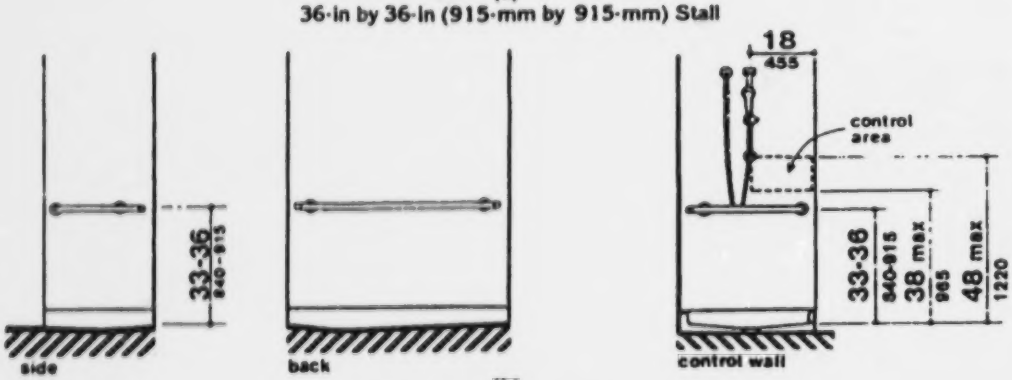
4.22 Toilet Rooms.

4.22.1 Minimum Number. *Toilet facilities required to be accessible by 4.1* shall comply with 4.22. Accessible toilet rooms shall be on an accessible route.

4.22.2 Doors. All doors to accessible toilet rooms shall comply with 4.13. Doors shall not swing into the clear floor space required for any fixture.



(a)
36-in by 36-in (915-mm by 915-mm) Stall



(b)
30-in by 60-in (760-mm by 1525-mm) Stall

Fig. 37
Grab Bars at Shower Stalls

4.22.3 Clear Floor Space. The accessible fixtures and controls required in 4.22.4, 4.22.5, 4.22.6, and 4.22.7 shall be on an accessible route. An unobstructed turning space complying with 4.2.3 shall be provided within an accessible toilet room. The clear floor space at fixtures and controls, the accessible route, and the turning space may overlap.

EXCEPTION: In toilet rooms with only one water closet and one lavatory, a clear floor space of 30 in by 60 in (815 mm by 1525 mm) may be used in lieu of the unobstructed turning space.

4.22.4 Water Closets. If toilet stalls are provided, then at least one shall comply with 4.17; its water closet shall comply with 4.16. If water closets are not in stalls, then at least one shall comply with 4.16.

4.22.5 Urinals. If urinals are provided, *then* at least one shall comply with 4.18.

4.22.6 Lavatories and Mirrors. If lavatories and mirrors are provided, *then* at least one of each shall comply with 4.19.

4.22.7 Controls and Dispensers. If controls, dispensers, receptacles, or other equipment is provided, *then* at least one of each shall be on an accessible route and shall comply with 4.27.

4.23 Bathrooms, Bathing Facilities, and Shower Rooms.

4.23.1 Minimum Number. Bathrooms, bathing facilities, or shower rooms *required to be accessible by 4.1* shall comply with 4.23 and shall be on an accessible route. For adaptable bathrooms in accessible dwelling units, see 4.34.5.

4.23.2 Doors. Doors to accessible bathrooms shall comply with 4.13. Doors shall not swing into the floor space required for any fixture.

4.23.3 Clear Floor Space. The accessible fixtures and controls required in 4.23.4, 4.23.5, 4.23.6, 4.23.7, 4.23.8, and 4.23.9 shall be on an accessible route. An unobstructed turning space complying with 4.2.3 shall be provided within an accessible bathroom. The clear floor spaces at fixtures and controls, the accessible route, and the turning space may overlap.

EXCEPTION: In bathrooms with only one water closet, one lavatory, and one bathtub or shower, a clear floor space of 30 in by 60 in (760 mm by 1525 mm) may be used in lieu of the unobstructed turning space.

4.23.4 Water Closets. If toilet stalls are provided, then at least one shall comply with 4.17; its water closet shall comply with 4.16. If water closets are not in stalls, then at least one shall comply with 4.16.

4.23.5 Urinals. If urinals are provided, then at least one shall comply with 4.18.

4.23.6 Lavatories and Mirrors. If lavatories and mirrors are provided, then at least one of each shall comply with 4.19.

4.23.7 Controls and Dispensers. If controls, dispensers, receptacles, or other equipment is provided, *then* at least one of each shall be on an accessible route and shall comply with 4.27.

4.23.8 Bathing and Shower Facilities. If tubs or showers are provided, then at least one accessible tub that complies with 4.20 or at least one accessible shower that complies with 4.21 shall be provided.

4.23.9* Medicine Cabinets. If medicine cabinets are provided, at least one shall be located with a usable shelf no higher than 44 in (1120 mm) above the floor space. The floor space shall comply with 4.2.4.

4.24 Sinks.

4.24.1 General. *Sinks required to be accessible by 4.1* shall comply with 4.24. Sinks in kitchens of accessible dwelling units shall comply with 4.34.6.5.

4.24.2 Height. Sinks shall be mounted with the counter or rim no higher than 34 in (865 mm) from the floor.

4.24.3 Knee Clearance. Knee clearance that is *at least* 27 in (685 mm) high, 30 in (760 mm) wide, and 19 in (485 mm) deep shall be provided underneath sinks.

4.24.4 Depth. Each sink shall be a maximum of 6-1/2 in (165 mm) deep.

4.24.5 Clear Floor Space. A clear floor space at least 30 in by 48 in (760 mm by 1220 mm) complying with 4.2.4 shall be provided in front of a sink to allow forward approach. The clear floor space shall be on an accessible route and shall extend a maximum of 19 in (485 mm) underneath the sink (see Fig. 32).

4.24.6 Exposed Pipes and Surfaces. Hot water and drain pipes exposed under sinks shall be insulated or otherwise covered. There shall be no sharp or abrasive surfaces under sinks.

4.24.7 Faucets. Faucets shall comply with 4.27.4. Lever-operated, push-type, touch-type, or electronically controlled mechanisms are acceptable designs.

4.25 Storage.

4.25.1 General. *Fixed* storage facilities such as cabinets, shelves, closets, and drawers *required to be accessible by 4.1* shall comply with 4.25.

4.25.2 Clear Floor Space. A clear floor space at least 30 in by 48 in (760 mm by 1220 mm) complying with 4.2.4 that allows either a forward or parallel approach by a person using a wheelchair shall be provided at accessible storage facilities.

4.25.3 Height. Accessible storage spaces shall be within at least one of the reach ranges specified in 4.2.5 and 4.2.6. Clothes rods shall be a maximum of 54 in (1370 mm) from the floor (see Fig. 38).

4.25.4 Hardware. Hardware for accessible storage facilities shall comply with 4.27.4. Touch latches and U-shaped pulls are acceptable.

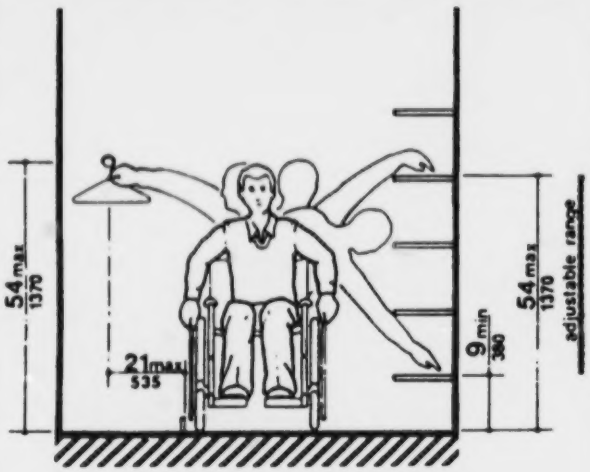


Fig. 38
Storage Shelves and Closets

4.26 Handrails, Grab Bars, and Tub and Shower Seats.

4.26.1* General. All handrails, grab bars, and tub and shower seats *required to be accessible by 4.1, 4.8, or 4.9* shall comply with 4.26.

4.26.2* Size and Spacing of Grab Bars and Handrails. The diameter or width of the gripping surfaces of a handrail or grab bar shall be 1-1/4 in to 1-1/2 in (32 mm to 38 mm), or the shape shall provide an equivalent gripping surface. If handrails or grab bars are mounted adjacent to a wall, the space between the wall and the grab bar shall be 1-1/2 in (38 mm) (see Fig. 39(a), (b), and (c)). Handrails may be located in a recess if the recess is a maximum of 3 in (75 mm) deep and extends at least 18 in (455 mm) above the top of the rail (see Fig. 39(d)).

4.26.3 Structural Strength. The structural strength of grab bars, tub and shower seats, fasteners, and mounting devices shall meet the following specification:

(1) Bending stress in a grab bar or seat induced by the maximum bending moment from the application of 250 lbf (1112N) shall be less than the allowable stress for the material of the grab bar or seat.

(2) Shear stress induced in a grab bar or seat by the application of 250 lbf (1112N) shall be less than the allowable shear stress for the material of the grab bar or seat. If the connection between the grab bar or seat and its mounting bracket or other support is considered to be fully restrained, then direct and torsional shear stresses shall be totaled for the combined shear stress, which shall not exceed the allowable shear stress.

(3) Shear force induced in a fastener or mounting device from the application of 250 lbf (1112N) shall be less than the allowable lateral load of either the fastener or mounting device or the supporting structure, whichever is the smaller allowable load.

(4) Tensile force induced in a fastener by a direct tension force of 250 lbf (1112N) plus the maximum moment from the application of 250 lbf (1112N) shall be less than the allowable withdrawal and the supporting structure.

(5) Grab bars shall not rotate within their fittings.

4.26.4 Eliminating Hazards. A handrail or grab bar and any wall or other surface adjacent to it shall be free of any sharp or abrasive elements. Edges shall have a minimum radius of 1/8 in (3.2 mm).

4.27 Controls and Operating Mechanisms.

4.27.1 General. Controls and operating mechanisms *required to be accessible by 4.1* shall comply with 4.27.

4.27.2 Clear Floor Space. Clear floor space complying with 4.2.4 that allows a forward or a parallel approach by a person using a wheelchair shall be provided at controls, dispensers, receptacles, and other operable equipment.

4.27.3* Height. The highest operable part of all controls, dispensers, receptacles, and other operable equipment shall be placed within at least one of the reach ranges specified in 4.2.5 and 4.2.6. Except where the use of special equipment dictates otherwise, electrical and communications system receptacles on walls shall be mounted no less than 15 in (380 mm) above the floor.

4.27.4 Operation. Controls and operating mechanisms shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate controls shall be no greater than 5 lbf (22.2 N).

4.28 Alarms.

4.28.1 General. *Alarm systems required to be accessible by 4.1 shall comply with 4.28.*

4.28.2* Audible Alarms. If provided, audible emergency alarms shall produce a sound that exceeds the prevailing equivalent sound level in the room or space by at least 15 decibels or exceeds any maximum sound level with a duration of 30 seconds by 5 decibels, whichever is louder. Sound levels for alarm signals shall not exceed 120 decibels.

4.28.3* Visual Alarms. If provided, electrically powered internally illuminated emergency exit signs shall flash as a visual emergency alarm in conjunction with audible emergency alarms. The flashing frequency of visual alarm devices shall be less than 5 Hz. If such alarms use electricity from the building as a power source, then they shall be installed on the same system as the audible emergency alarms.

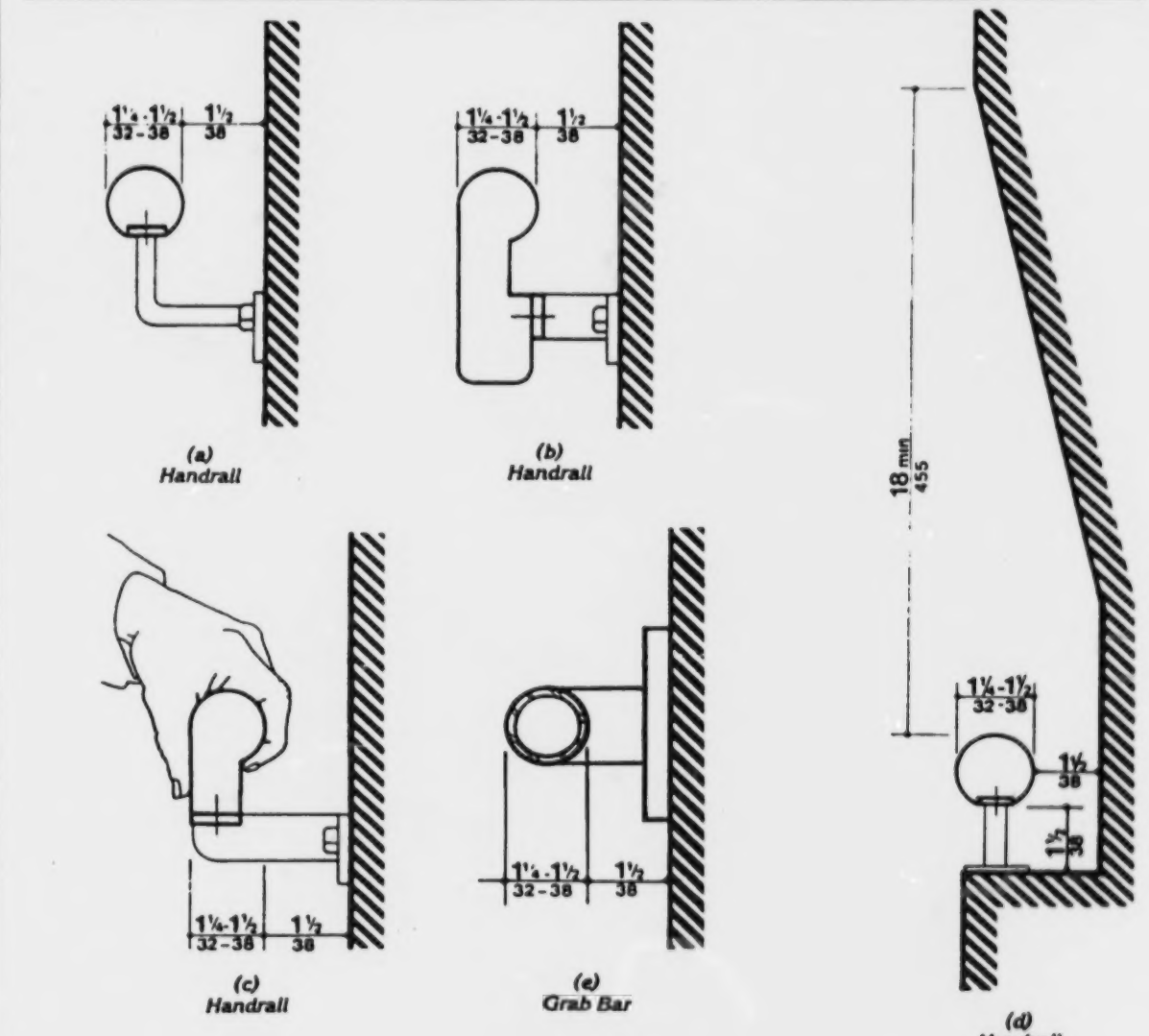


Fig. 39
Size and Spacing of Handrails and Grab Bars

EXCEPTIONS:

(1) Visual alarm devices that are mounted adjacent to emergency exit signs may be used in lieu of flashing exit signs.

(2) Specialized systems utilizing advanced technology may be substituted for the visual systems specified above if equivalent protection is afforded handicapped users of the building or facility.

4.28.4* Auxiliary Alarms. Accessible sleeping accommodations shall have a visual alarm connected to the building emergency alarm system or shall have a standard 110-volt electrical receptacle into which such an alarm could be connected. Instructions for use of the auxiliary alarm or connection shall be provided.

4.29 Tactile Warnings.

4.29.1 General. Tactile warnings *required to be accessible by 4.1* shall comply with 4.29.

4.29.2* Tactile Warnings on Walking Surfaces. *(Reserved).*

4.29.3* Tactile Warnings on Doors to Hazardous Areas. Doors that lead to areas that might prove dangerous to a blind person (for example, doors to loading platforms, boiler rooms, stages, and the like) shall be made identifiable to the touch by a textured surface on the door handle, knob, pull, or other operating hardware. This textured surface may be made by knurling or roughing or by a material applied to the contact surface. Such textured surfaces shall not be provided for emergency exit doors or any doors other than those to hazardous areas.

4.29.4 Tactile Warnings at Stairs. *(Reserved).*

4.29.5* Tactile Warnings at Hazardous Vehicular Areas. *(Reserved).*

4.29.6* Tactile Warnings at Reflecting Pools. *(Reserved).*

4.29.7* Standardization. Textured surfaces for tactile door warnings shall be standard within a building, facility, site, or complex of buildings.

4.30 Signage.

* **4.30.1* General.** *Signage required to be accessible by 4.1 shall comply with 4.30.*

4.30.2* Character Proportion. Letters and numbers on signs shall have a width-to-height ratio between 3:5 and 1:1 and a stroke width-to-height ratio between 1:5 and 1:10.

4.30.3* Color Contrast. Characters and symbols shall contrast with their background — either light characters on a dark background or dark characters on a light background.

* **4.30.4* Raised or Indented Characters or Symbols.** Letters and numbers on signs shall be raised or incised 1/32 in (0.8 mm) minimum and shall be sans serif characters. Raised characters or symbols shall be at least 5/8 in (16 mm) high, but no higher than 2 in (50 mm). Indented characters or symbols shall have a stroke width of at least 1/4 in (6 mm). Symbols or pictographs on signs shall be raised or indented 1/32 in (0.8 mm) minimum.

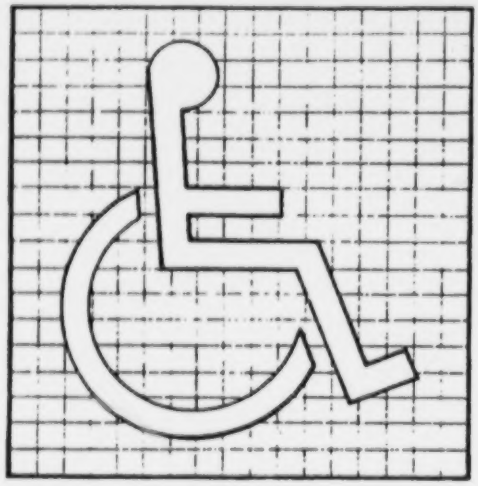
4.30.5 Symbols of Accessibility. Accessible facilities *required to be* identified *by 4.1, shall use* the international symbol of accessibility. The symbol shall be displayed as shown in Fig. 43.

4.30.6 *Mounting Location and Height.* *Interior signage shall be located alongside the door on the latch side and shall be mounted at a height of between 54 in and 66 in (1370 mm and 1675 mm) above the finished floor.*

4.31 Telephones.

4.31.1 General. *Public telephones required to be accessible by 4.1 shall comply with 4.31.*

4.31.2 Clear Floor or Ground Space. A clear floor or ground space at least 30 in by 48 in (760 mm by 1220 mm) that allows either a forward or parallel approach by a person using a wheelchair shall be provided at telephones (see Fig. 44). The clear floor or ground space shall comply with 4.2.4. Bases, enclosures, and fixed seats shall not impede approaches to telephones by people who use wheelchairs.



(a)
Proportions

(b)
Display Conditions

Fig. 43
International Symbol of Accessibility

4.31.3* Mounting Height. The highest operable part of the telephone shall be within the reach ranges specified in 4.2.5 or 4.2.6.

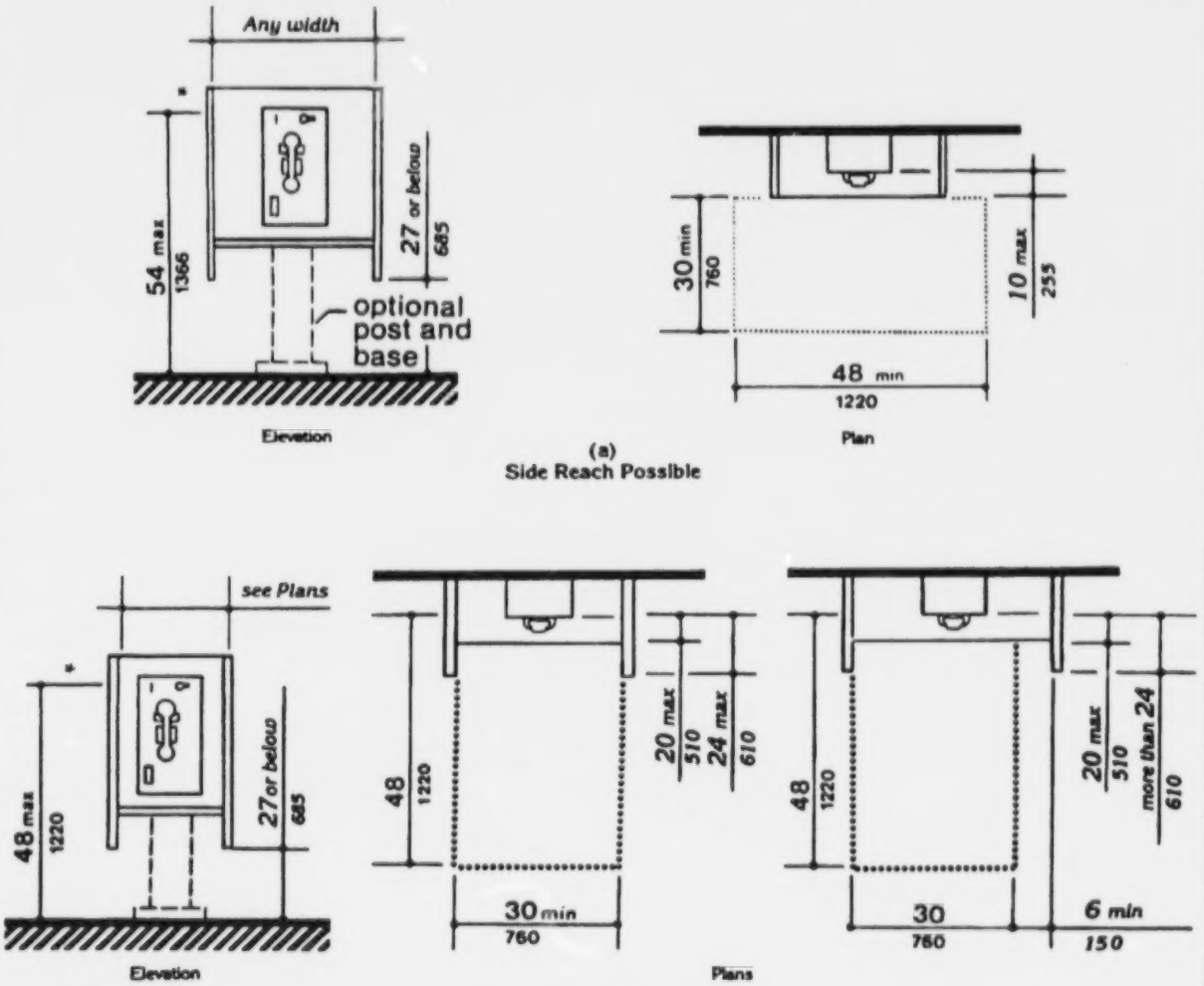
4.31.4 *Protruding Objects.* *Telephones shall comply with 4.4.*

4.31.5* Equipment for Hearing Impaired People. Telephones shall be equipped with a receiver that generates a magnetic field in the area of the receiver cap. *Volume controls shall be provided in accordance with 4.1.2.*

4.31.6 Controls. Telephones shall have pushbutton controls where service for such equipment is available.

4.31.7 Telephone Books. Telephone books, if provided, shall be located *in a position that complies with the reach ranges specified in 4.2.5 and 4.2.6.*

* Amendments issued 3/28/89 appear on Page 92, App. V.



*Height to highest operable parts which are essential to basic operation of telephone.

Fig. 44
Mounting Heights and Clearances for Telephones

4.31.8 Cord Length. The cord from the telephone to the handset shall be at least 29 in (735 mm) long.

4.32 Seating, Tables, and Work Surfaces.

4.32.1 Minimum Number. Fixed or built-in seating, tables, or work surfaces *required to be accessible by 4.1 shall comply with 4.32.*

4.32.2 Seating. If seating spaces for people in wheelchairs are provided at tables, counters, or work surfaces, clear floor space complying with 4.2.4 shall be provided. Such clear floor space shall not overlap knee space by more than 19 in (485 mm) (see Fig. 45).

4.32.3 Knee Clearances. If seating for people in wheelchairs is provided at tables, counters, and work surfaces, knee spaces at least 27 in (685 mm) high, 30 in (760 mm) wide, and 19 in (485 mm) deep shall be provided (see Fig. 45).

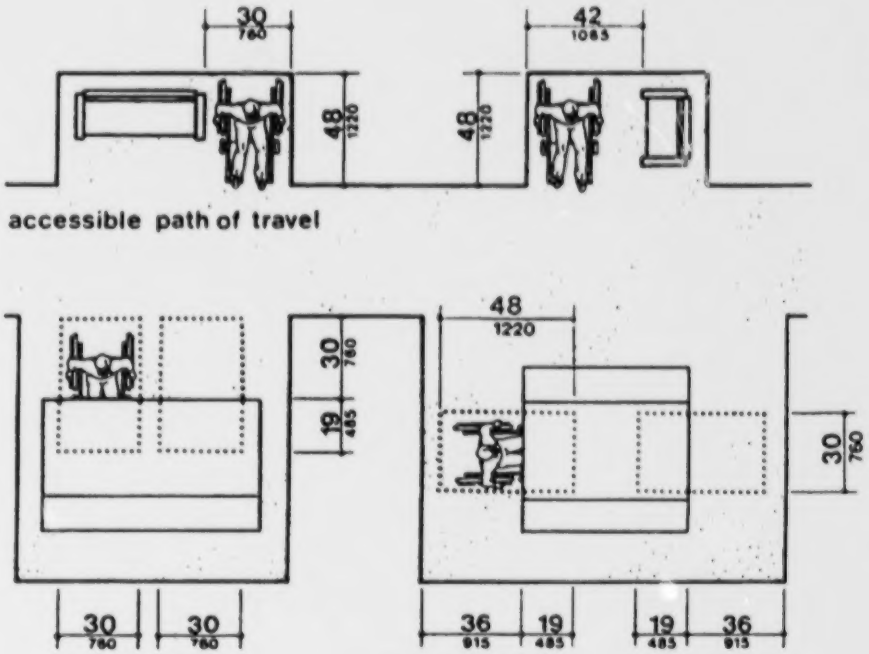


Fig. 45
Minimum Clearances for Seating and Tables

4.32.4* Height of Work Surfaces. The tops of tables and work surfaces shall be from 28 in to 34 in (710 mm to 865 mm) from the floor or ground.

4.33 Assembly Areas.

4.33.1 Minimum Number. Assembly *and associated areas required to be accessible by 4.1 shall comply with 4.33.*

4.33.2* Size of Wheelchair Locations. Each wheelchair location shall provide minimum clear ground or floor spaces as shown in Fig. 46.

4.33.3* Placement of Wheelchair Locations. Wheelchair areas shall be an integral part of any fixed seating plan and shall be dispersed throughout the seating area. They shall adjoin an accessible route that also serves as a means of egress in case of emergency and shall be located to provide lines of sight comparable to those for all viewing areas.

EXCEPTION: Accessible viewing positions may be clustered for bleachers, balconies, and other areas having sight lines that require slopes of greater than 5 percent. Equivalent accessible viewing positions may be located on levels having accessible egress.

4.33.4 Surfaces. The ground or floor at wheelchair locations shall be level and shall comply with 4.5.

4.33.5 Access to Performing Areas. An accessible route shall connect wheelchair seating locations with performing areas, including stages, arena floors, dressing rooms, locker rooms, and other spaces used by performers.

4.33.6* Placement of Listening Systems. If the listening system provided serves individual fixed seats, then such seats shall be located within a 50 ft (15 m) viewing distance of the stage or playing area and shall have a complete view of the stage or playing area.

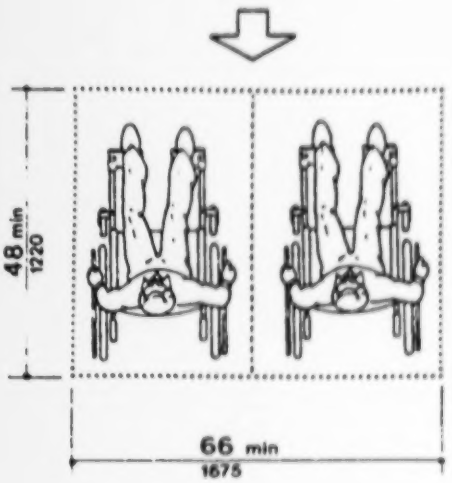
4.33.7* Types of Listening Systems. Audio loops and radio frequency systems are two acceptable types of listening systems.

4.34 Dwelling Units.

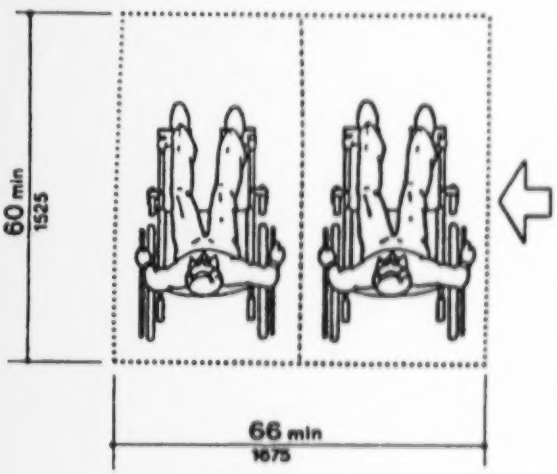
4.34.1 General. The requirements of 4.34 apply to dwelling units *required to be accessible by 4.1.*

4.34.2* Minimum Requirements. An accessible dwelling unit shall be on an accessible route. An accessible dwelling unit shall have the following accessible elements and spaces as a minimum:

(1) Common spaces and facilities serving individual accessible dwelling units (for example, entry walks, trash disposal facilities, and mail boxes) shall comply with 4.2 through 4.33.



(a)
Forward or Rear Access



(b)
Side Access

Fig. 46
Space Requirements for Wheelchair Seating Spaces in Series

(2) Accessible spaces shall have maneuvering space complying with 4.2.2 and 4.2.3 and surfaces complying with 4.5.

(3) At least one accessible route complying with 4.3 shall connect the accessible entrances with all accessible spaces and elements within the dwelling units.

(4) *See 4.1.1(5)(d) — Parking.*

(5) *Removed and reserved.*

(6) Doors to and in accessible spaces that are intended for passage shall comply with 4.13, *except that the provisions of 4.13.9 apply only to the doors at accessible entrances to the unit itself.*

(7) At least one accessible entrance to the dwelling unit shall comply with 4.14.

(8) Storage in accessible spaces in dwelling units, including cabinets, shelves, closets, and drawers, shall comply with 4.25.

(9) All controls in accessible spaces shall comply with 4.27. Those portions of heating, ventilating, and airconditioning equipment requiring regular, periodic maintenance and adjustment by the resident of a dwelling shall be accessible to people in wheelchairs. If air distribution registers must be placed in or close to ceilings for proper air circulation, this specification shall not apply to the registers.

(10) Emergency alarms *as required by 4.1 and* complying with 4.28.4 shall be provided in the dwelling unit.

(11) *Removed and reserved.*

(12) At least one full bathroom shall comply with 4.34.5. A full bathroom shall include a water closet, a lavatory, and a bathtub or a shower.

(13) The kitchen shall comply with 4.34.6.

(14) If laundry facilities are provided, they shall comply with 4.34.7.

(15) The following spaces shall be accessible and shall be on an accessible route:

(a) The living area.

(b) The dining area.

(c) The sleeping area, or the bedroom in one bedroom dwelling units, or at least two bedrooms or sleeping spaces in dwelling units with two or more bedrooms.

(d) Patios, terraces, balconies, carports, and garages, if provided with the dwelling unit.

4.34.3 Adaptability. The specifications for 4.34.5 and 4.34.6 *include* the concept of adaptability. *Accessible dwelling units may be designed for either permanent accessibility or adaptability.*

4.34.4 Consumer Information. To ensure that the existence of adaptable features will be known to the owner or occupant of a dwelling, the following con-

sumer information shall be provided in each *adaptable* dwelling unit available for *occupancy*:

(1) Notification of the alternate heights available for the kitchen counter and sink, and the existence of removable cabinets and bases, if provided, under counters, sinks, and lavatories.

(2) Notification of the provisions for the installation of grab bars at toilets, bathtubs, and showers.

(3) Notification that the dwelling unit is equipped to have a visual emergency alarm installed.

(4) Identification of the location where information and instructions are available for changing the height of counters, removing cabinets and bases, installing a visual emergency alarm system, and installing grab bars.

(5) Notification that the dwelling unit has been designed in accordance with this *Uniform Federal Accessibility Standards*.

In addition, the *parties who will be responsible for making adaptations* shall be provided with the following information:

(1) Instructions for adjusting or replacing kitchen counter and sink heights and for removing cabinets.

(2) A scale drawing showing methods and locations for the installation of grab bars.

(3) A scale drawing showing the location of adjustable or replaceable counter areas and removable cabinets.

(4) Identification of the location of any equipment and parts required for adjusting or replacing counter tops, cabinets, and sinks.

(5) Instructions for installing a visual emergency alarm system, if the dwelling unit is equipped for such an installation.

4.34.5* Bathrooms. *Accessible or* adaptable bathrooms shall be on an accessible route and shall comply with the requirements of 4.34.5.

4.34.5.1 Doors. Doors shall not swing into the clear floor space required for any fixture.

4.34.5.2 Water Closets.

(1) Clear floor space at the water closet shall be as shown in Fig. 47(a). The water closet may be located with the clear area at either the right or left side of the toilet.

(2) The height of the water closet shall be at least 15 in (380 mm), *and no more than 19 in (485 mm)*, measured to the top of the toilet seat.

(3) Structural reinforcement or other provisions that will allow installation of grab bars shall be provided in the locations shown in Fig. 47(b). If provided, grab bars shall be installed as shown in Fig. 29 and shall comply with 4.26.

(4) The toilet paper dispenser shall be installed within reach as shown in Fig. 47(b).

4.34.5.3 Lavatory, Mirrors, and Medicine Cabinets.

(1) The lavatory and mirrors shall comply with 4.22.6.

(2) If a cabinet is provided under the lavatory in adaptable bathrooms, then it shall be removable to provide the clearances specified in 4.22.6.

(3) If a medicine cabinet is provided above the lavatory, then the bottom of the medicine cabinet shall be located with a usable shelf no higher than 44 in (1120 mm) above the floor.

4.34.5.4 Bathtubs. If a bathtub is provided, then it shall have the following features:

(1) Floor space. Clear floor space at bathtubs shall be as shown in Fig. 33.

(2) Seat. An in-tub seat or a seat at the head end of the tub shall be provided as shown in Fig. 33 and 34. The structural strength of seats and their attachments shall comply with 4.26.3. Seats shall be mounted securely and shall not slip during use.

(3) Grab bars. Structural reinforcement or other provisions that will allow installation of grab bars shall be provided in the locations shown in Fig. 48. If provided, grab bars shall be installed as shown in Fig. 34 and shall comply with 4.26.

(4) Controls. Faucets and other controls shall be located as shown in Fig. 34 and shall comply with 4.27.4.

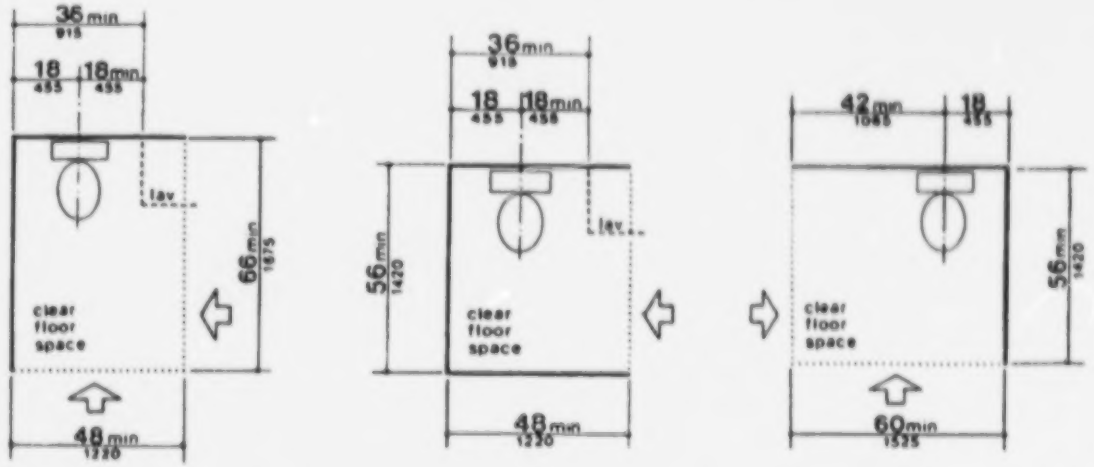
(5) Shower unit. A shower spray unit with a hose at least 60 in (1525 mm) long that can be used as a fixed shower head or as a hand-held shower shall be provided.

4.34.5.5 Showers. If a shower is provided, it shall have the following features:

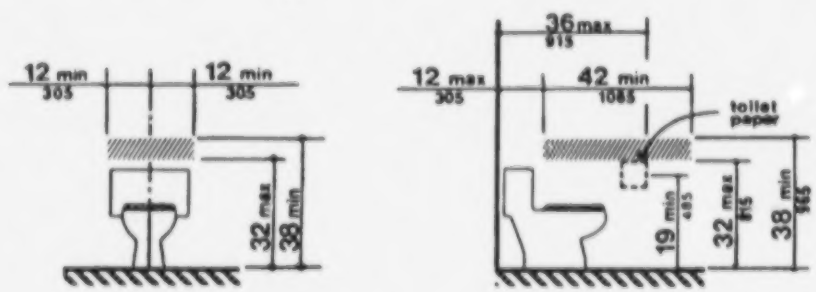
(1) Size and clearances. Shower stall size and clear floor space shall comply with either Fig. 35(a) or (b). The shower stall in Fig. 35(a) shall be 36 in by 36 in (915 mm by 915 mm). The shower stall in Fig. 35(b) will fit into the same space as a standard 60 in (1525 mm) long bathtub.

(2) Seat. A seat shall be provided in the shower stall in Fig. 35(a) as shown in Fig. 36. The seat shall be 17 in to 19 in (430 mm to 485 mm) high measured from the bathroom floor and shall extend the full depth of the stall. The seat shall be on the wall opposite the controls. The structural strength of seats and their attachments shall comply with 4.26.3. Seats shall be mounted securely and shall not slip during use.

(3) Grab bars. Structural reinforcement or other provisions that will allow installation of grab bars shall be provided in the locations shown in Fig. 49. If provided, grab bars shall be installed as shown in Fig. 37 and shall comply with 4.26.



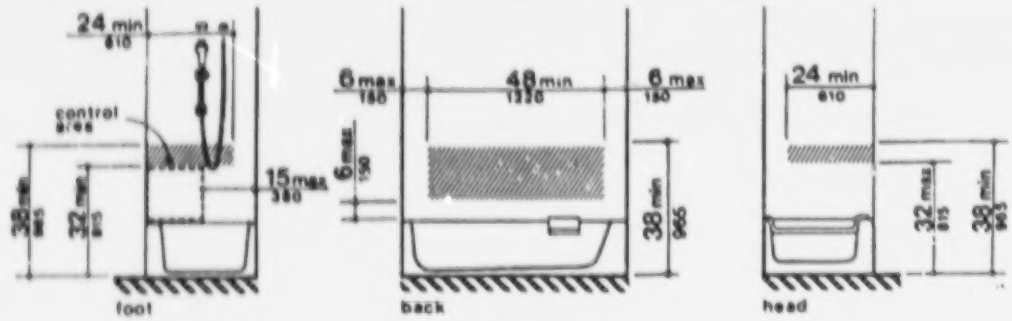
(a)
Clear Floor Space for Adaptable Bathrooms



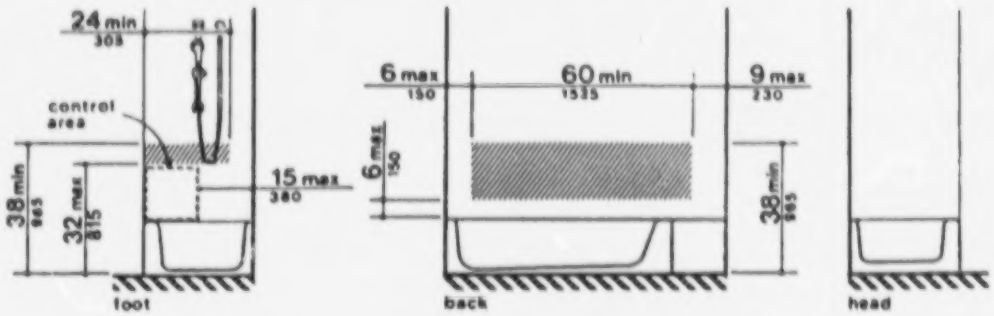
NOTE: The hatched areas are reinforced to receive grab bars.

(b)
Reinforced Areas for Installation of Grab Bars

Fig. 47
Water Closets in Adaptable Bathrooms



(a)
With Seat in Tub



(b)
With Seat at Head of Tub

NOTE: The hatched areas are reinforced to receive grab bars.

Fig. 48
Location of Grab Bars and Controls of Adaptable Bathtubs

(4) Controls. Faucets and other controls shall be located as shown in Fig. 37 and shall comply with 4.27.4. In the shower stall in Fig. 35(a), all controls, faucets, and the shower unit shall be mounted on the side wall opposite the seat.

(5) Shower unit. A shower spray unit with a hose at least 60 in (1525 mm) long that can be used as a fixed shower head at various heights or as a hand-held shower shall be provided.

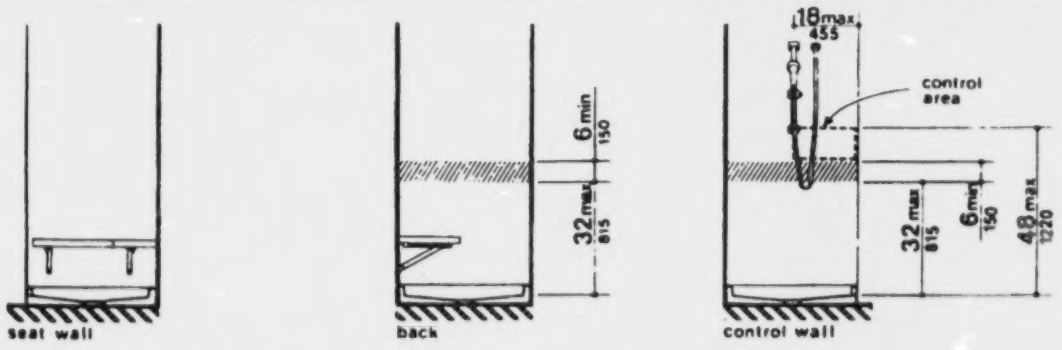
4.34.5.6 Bathtub and Shower Enclosures. Enclosures for bathtubs or shower stalls shall not obstruct controls or transfer from wheelchairs onto shower or bathtub seats. Enclosures on bathtubs shall not have tracks mounted on their rims.

4.34.5.7 Clear Floor Space. Clear floor space at fixtures may overlap.

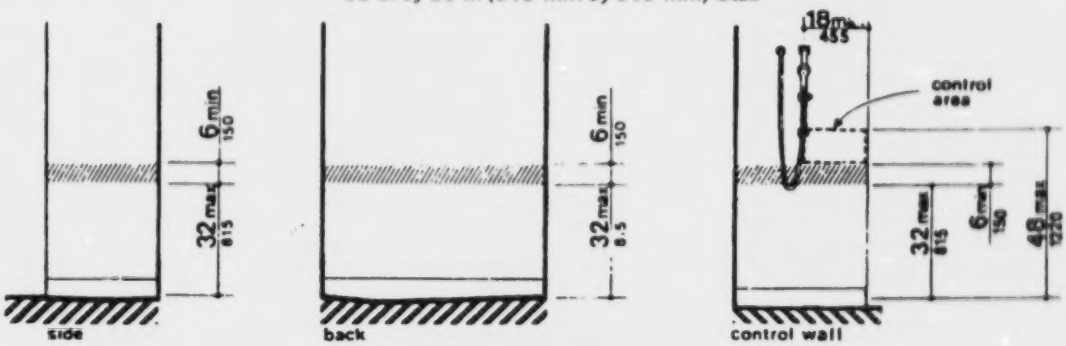
4.34.6 Kitchens. *Accessible or adaptable* kitchens and their components shall be on an accessible route and shall comply with the requirements of 4.34.6.

4.34.6.1* Clearance. Clearances between all opposing base cabinets, counter tops, appliances, or walls shall be 40 in (1015 mm) minimum, except in U-shaped kitchens, where such clearance shall be 60 in (1525 mm) minimum.

4.34.6.2 Clear Floor Space. A clear floor space at least 30 in by 48 in (760 mm by 1220 mm) complying with 4.2.4 that allows either a forward or a parallel approach by a person in a wheelchair shall be provided at all appliances in the kitchen, including the range or cooktop, oven, refrigerator/freezer, dishwasher, and trash compactor. Laundry equipment located in the kitchen shall comply with 4.34.7.



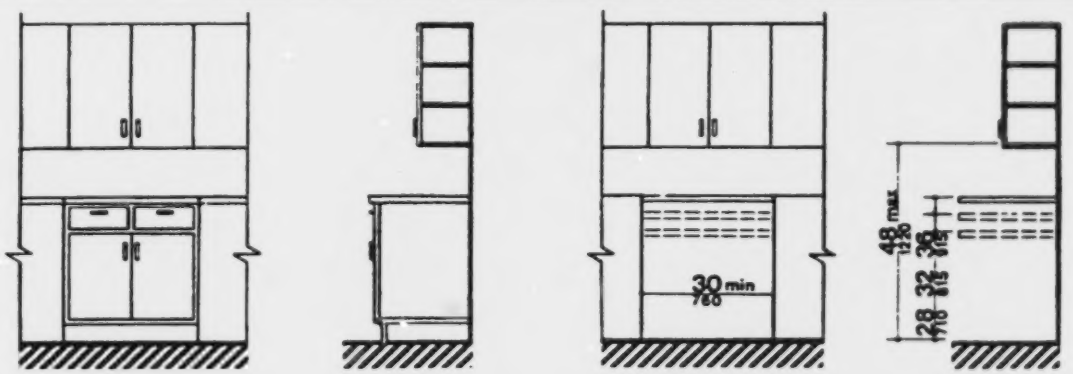
(a)
36-in by 36-in (915-mm by 915-mm) Stall



(b)
30-in by 60-in (750-mm by 1525-mm) Stall

NOTE: The hatched areas are reinforced to receive grab bars.

Fig. 49
Location of Grab Bars and Controls of Adaptable Showers



(a)
Before Removal of Cabinets and Base

(b)
Cabinets and Base Removed and Height Alternatives

Fig. 50
Counter Work Surface

4.34.6.3 Controls. All controls in kitchens shall comply with 4.27.

4.34.6.4 Work Surfaces. At least one 30 in (760 mm) section of counter shall provide a work surface that complies with the following requirements (see Fig. 50):

(1) The counter shall be *mounted at a maximum height of 34 in (865 mm) above the floor, measured from the floor to the top of the counter surface, or shall be* adjustable or replaceable as a unit to provide alternative heights of 28 in, 32 in, and 36 in (710 mm, 815 mm, and 915 mm), measured from the top of the counter surface.

(2) Base cabinets, if provided, shall be removable under the full 30 in (760 mm) minimum frontage of the counter. The finished floor shall extend under the counter to the wall.

(3) Counter thickness and supporting structure shall be 2 in (50 mm) maximum over the required clear area.

(4) A clear floor space 30 in by 48 in (760 mm by 1220 mm) shall allow a forward approach to the counter. Nineteen inches (485 mm) maximum of the clear floor space may extend underneath the counter. The knee space shall have a minimum clear width of 30 in (760 mm) and a minimum clear depth of 19 in (485 mm).

(5) There shall be no sharp or abrasive surfaces under such counters.

4.34.6.5° Sink. The sink and surrounding counter shall comply with the following requirements (see Fig. 51):

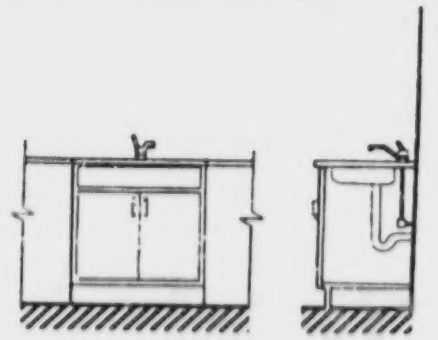
(1) The sink and surrounding counter shall be *mounted at a maximum height of 34 in (865 mm) above the floor, measured from the floor to the top of the counter surface, or shall* be adjustable or replaceable as a unit to provide alternative heights of 28 in, 32 in, and 36 in (710 mm, 815 mm, and 915 mm), measured from the floor to the top of the counter surface or sink rim. The total width of sink and counter area shall be 30 in (760 mm).

(2) Rough-in plumbing shall be located to accept connections of supply and drain pipes for sinks mounted at the height of 28 in (710 mm).

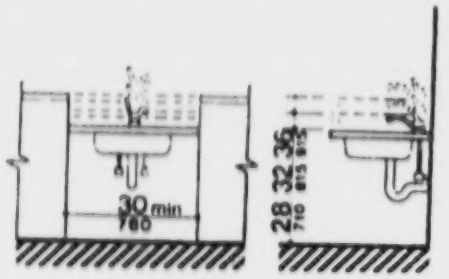
(3) The depth of a sink bowl shall be no greater than 6-1/2 in (165 mm). Only one bowl of double-or triple-bowl sinks needs to meet this requirement.

(4) Faucets shall comply with 4.27.4. Lever-operated or push-type mechanisms are two acceptable designs.

(5) Base cabinets, if provided, shall be removable under the full 30 in (760 mm) minimum frontage of the sink and surrounding counter. The finished flooring shall extend under the counter to the wall.



(a)
Before Removal of Cabinets and Base



(b)
Cabinets and Base Removed
and Height Alternatives

Fig. 51
Kitchen Sink

(6) Counter thickness and supporting structure shall be 2 in (50 mm) maximum over the required clear space.

(7) A clear floor space 30 in by 48 in (760 mm by 1220 mm) shall allow forward approach to the sink. Nineteen inches (485 mm) maximum of the clear floor space may extend underneath the sink. The knee space shall have a clear width of 30 in (760 mm) and a clear depth of 19 in (485 mm).

(8) There shall be no sharp or abrasive surfaces under sinks. Hot water and drain pipes under sinks shall be insulated or otherwise covered.

4.34.6.6° Ranges and Cooktops. Ranges and cooktops shall comply with 4.34.6.2 and 4.34.6.3. If ovens or cooktops have knee spaces underneath, then they shall be insulated or otherwise protected on the exposed contact surfaces to prevent burns, abrasions, or electrical shock. The clear floor space may overlap the knee space, if provided, by 19 in (485 mm) maximum. The location of controls for ranges and cook-tops shall not require reaching across burners.

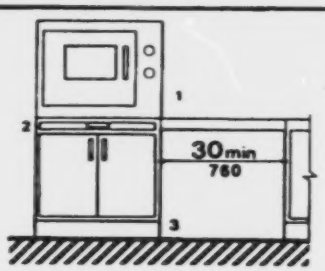
4.34.6.7* Ovens. Ovens shall comply with 4.34.6.2 and 4.34.6.3. Ovens shall be of the self-cleaning type or be located adjacent to an adjustable height counter with knee space below (see Fig. 52). For side-opening ovens, the door latch side shall be next to the open counter space, and there shall be a pull-out shelf under the oven extending the full width of the oven and pulling out not less than 10 in (255 mm) when fully extended. Ovens shall have controls on front panels; they may be located on either side of the door.

4.34.6.8* Refrigerator/Freezers. Refrigerator/freezers shall comply with 4.34.6.3. *Provision shall be made for refrigerators which are:*

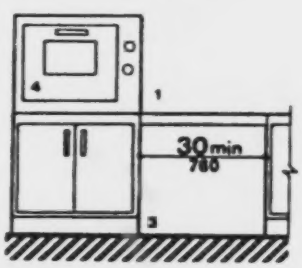
(1) Of the vertical side-by-side refrigerator/freezer type; or

(2) Of the over-and-under type and meet the following requirements:

(a) Have at least 50 percent of the freezer space below 54 in (1370 mm) above the floor.



(a)
Side-Hinged Door



(b)
Bottom-Hinged Door

SYMBOL KEY:
1. Countertop or wall-mounted oven.
2. Pull-out board preferred with side-opening door.
3. Clear open space.
4. Bottom-hinged door.

Fig. 52
Ovens without Self-Cleaning Feature

(b) Have 100 percent of the refrigerator space and controls below 54 in (1370 mm).

Freezers with less than 100 percent of the storage volume within the limits specified in 4.2.5 or 4.2.6 shall be the self-defrosting type.

4.34.6.9 Dishwashers. Dishwashers shall comply with 4.34.6.2 and 4.34.6.3. Dishwashers shall have all rack space accessible from the front of the machine for loading and unloading dishes.

4.34.6.10* Kitchen Storage. Cabinets, drawers, and shelf areas shall comply with 4.25 and shall have the following features:

(1) Maximum height shall be 48 in (1220 mm) for at least one shelf of all cabinets and storage shelves mounted above work counters (see Fig. 50).

(2) Door pulls or handles for wall cabinets shall be mounted as close to the bottom of cabinet doors as possible. Door pulls or handles for base cabinets shall be mounted as close to the top of cabinet doors as possible.

4.34.7 Laundry Facilities. If laundry equipment is provided within individual accessible dwelling units, or if separate laundry facilities serve one or more accessible dwelling units, then they shall meet the requirements of 4.34.7.1 through 4.34.7.3.

4.34.7.1 Location. Laundry facilities and laundry equipment shall be on an accessible route.

4.34.7.2 Washing Machines and Clothes Dryers. Washing machines and clothes dryers in common use laundry rooms shall be front loading.

4.34.7.3 Controls. Laundry equipment shall comply with 4.27.

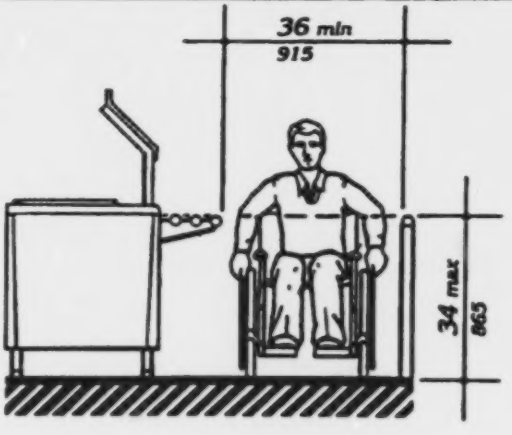


Fig. 53
Food Service Lines

5. RESTAURANTS AND CAFETERIAS.

5.1 General. In addition to the requirements of 4.1 to 4.33, the design of at least 5 percent of all fixed seating or tables in a restaurant or cafeteria shall comply with 4.32. Access aisles between tables shall comply with 4.3. Where practical, accessible tables should be distributed throughout the space or facility. In restaurants or cafeterias where there are mezzanine levels, loggias, or raised platforms, accessibility to all such spaces is not required providing that the same services and decorative character are provided in spaces located on accessible routes.

5.2 Food Service Lines. Food service lines shall have a minimum clear width of 36 in (915 mm), with a preferred clear width of 42 in (1065 mm) where passage of stopped wheelchairs by pedestrians is desired. Tray slides shall be mounted no higher than 34 in (865 mm) above the floor. If self-service shelves are provided, a reasonable portion must be within the ranges shown in Fig. 53.

5.3 Tableware Areas. Install tableware, dishware, condiment, food and beverage display shelves, and dispensing devices in compliance with 4.2 (see Fig. 54).

5.4 Vending Machines. Install vending machines in compliance with 4.27.

6. HEALTH CARE.

6.1 General. In addition to the requirements of 4.1 to 4.33, Health Care buildings and facilities shall comply with 6.

6.2 Entrances. At least one accessible entrance that complies with 4.14 shall be protected from the weather by canopy or roof overhang. Such entrances shall incorporate a passenger loading zone that complies with 4.6.5 (see 4.13.6).

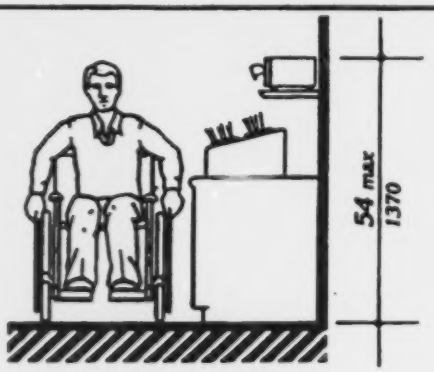


Fig. 54
Tableware Areas

6.3 Patient Bedrooms. Provide accessible patient bedrooms in compliance with 4. Accessible patient bedrooms shall comply with the following:

(1) Each bedroom shall have a turning space that complies with 4.2.3, and preferably that is located near the entrance.

(2) Each one-bed room shall have a minimum clear floor space of 36 in (915 mm) along each side of the bed, and 42 in (1065 mm) between the foot of the bed and the wall.

(3) Each two-bed room shall have a minimum clear floor space of 42 in (1065 mm), preferably 48 in (1220 mm), between the foot of the bed and the wall; 36 in (915 mm) between the side of the bed and the wall; and 48 in (1220 mm) between beds.

(4) Each four-bed room shall have a minimum clear floor space of 48 in (1220 mm) from the foot of the bed to the foot of the opposing bed; 36 in (915 mm) between the side of the bed and the wall; and 48 in (1220 mm) between beds.

(5) Each bedroom shall have a door that complies with 4.13.

6.4 Patient Toilet Rooms. Provide each patient bedroom that is required to be accessible with an accessible toilet room that complies with 4.22 or 4.23.

7. MERCANTILE.

7.1 General. In addition to the requirements of 4.1 to 4.33, the design of all areas used for business transactions with the public shall comply with 7.

7.2 Service Counters. Where service counters exceeding 36 in (915 mm) in height are provided for standing sales or distribution of goods to the public, an auxiliary counter or a portion of the main counter shall be provided with a maximum height of between 28 in to 34 in (710 mm to 865 mm) above the floor in compliance with 4.32.4.

7.3 Check-Out Aisles. At least one accessible check-out aisle shall be provided in buildings or facilities with check-out aisles. Clear aisle width shall comply with 4.2.1 and maximum adjoining counter height shall not exceed 36 in (915 mm) above the floor.

7.4 Security Bollards. Any device used to prevent the removal of shopping carts from store premises shall not prevent access or egress to those in wheelchairs. An alternate entry that is equally convenient to that provided for the ambulatory population is acceptable.

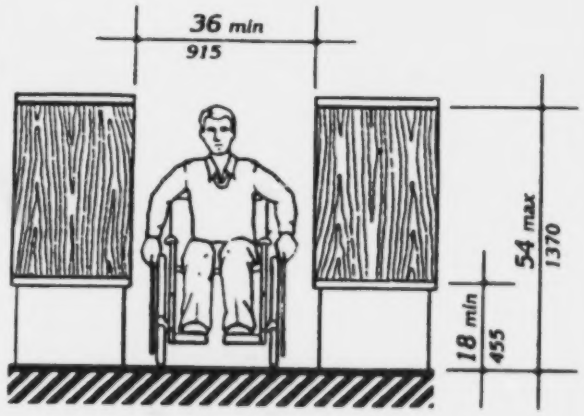


Fig. 55
Card Catalog

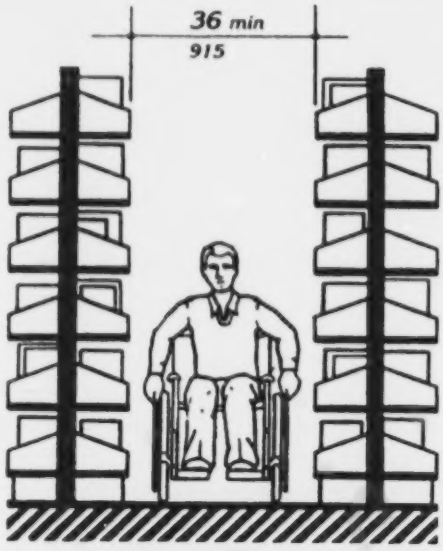


Fig. 56
Stacks

8. LIBRARIES.

8.1 General. *In addition to the requirements of 4.1 to 4.33, the design of all public areas of a library shall comply with 8, including reading and study areas, stacks, reference rooms, reserve areas, and special facilities or collections. As provided, elements such as public toilet rooms, telephones, and parking shall be accessible.*

8.2 Reading and Study Areas. *At least 5 percent or a minimum of one of each element of fixed seating, tables, or study carrels shall comply with 4.2 and 4.32. Clearances between fixed accessible tables and study carrels shall comply with 4.3.*

8.3 Check-Out Areas. *At least one lane at each check-out area shall comply with 4.32. Any traffic control or book security gates or turnstiles shall comply with 4.13.*

8.4 Card Catalogs. *Minimum clear aisle space at card catalogs, magazine displays, or reference stacks shall comply with Fig. 55. Maximum reach height shall comply with 4.2, with a height of 48 in (1220 mm) preferred, irrespective of reach allowed.*

8.5 Stacks. *Minimum clear aisle width between stacks shall comply with 4.3, with a minimum clear aisle width of 42 in (1065 mm) preferred where possible. Shelf height in stack areas is unrestricted (see Fig. 56).*

9. POSTAL FACILITIES.

9.1 General. *In addition to the requirements of 4.1 to 4.33, the design of U.S. postal facilities shall comply with the requirements of 9. In addition, employee toilet rooms, water fountains, lunchrooms, lounges, attendance-recording equipment, medical treatment rooms, emergency signals, and switches and controls shall be made accessible or adaptable in accordance with the requirements of these standards.*

9.2* Post Office Lobbies. *Where writing desks or tables are provided, a minimum of at least one writing desk or table that complies with 4.32 must be provided. Clear passageways in front of customer service counters shall be not less than 48 in (1220 mm) clear width to permit maneuvering of a wheelchair. Letter drops shall be mounted at heights that comply with 4.2.*

(1) All fixed partitions must be installed to withstand a 250-pound force applied at any point and from any direction. Avoid designs that call for, or may necessitate, non-fixed partitions in circulation routes of handicapped people.

(2) Walls where handrails are provided for handicapped people must be capable of supporting handrails designed to support a 250-pound pull force in any direction.

9.3 Self-Service Postal Centers. Parcel post depositories, stamp vending machines, multi-commodity vending machines, and currency-coin changing machines shall be installed so that the operating mechanisms of all machines comply with 4.2 and 4.27. All mechanisms must be installed to permit close parallel approach by a wheelchair user.

9.4 Post Office Boxes. At least 5 percent of the post office boxes in a facility shall be accessible to wheelchair users. The total number of accessible post office boxes provided shall include a representative number of each of the standard USPS boxes currently being installed. Accessible post office boxes shall be located in the second or third set of modules from the floor, approximately 12 in to 36 in (305 mm to 915 mm) above the finished floor. Aisles between post office boxes shall be a minimum of 66 in (1675 mm) clear width.

9.5 Locker Rooms. Lockers in easily accessible areas must be provided for use by handicapped people. When double-tier lockers are used, only the bottom row of lockers may be assigned for use by wheelchair users. When full length lockers are used, all hooks, shelves, etc., intended for use by people in wheelchairs shall be located no higher than 48 in (1220 mm) above the finished floor. Lockers intended for use by handicapped people shall be equipped with latches and latch handles that comply with 4.27. Unobstructed aisle space in front of lockers used by handicapped people shall be a minimum of 42 in (1065 mm) clear width.

9.6 Attendance-Recording Equipment. Time clocks, card racks, log books, and other work assignment or attendance-recording equipment used by people in wheelchairs must be installed at a height no more than 48 in (1220 mm) above the finished floor. Counter space at check-in areas must be no more than 36 in (915 mm) above the finished floor.

APPENDIX

This appendix contains additional information that should help the designer to understand the minimum requirements of the standard or to design buildings or facilities for greater accessibility. The paragraph numbers correspond to the sections or paragraphs of the standard to which the material relates and are therefore not consecutive (for example, A4.2.1 contains additional information relevant to 4.2.1). Sections for which additional material appears in this appendix have been indicated by an asterisk.

A4.2 Space Allowances and Reach Ranges.

A4.2.1 Wheelchair Passage Width.

(1) Space Requirements for Wheelchairs. Most wheelchair users need a 30 in (760 mm) clear opening width for doorways, gates, and the like, when the latter are entered head-on. If the wheelchair user is unfamiliar with a building, if competing traffic is heavy, if sudden or frequent movements are needed, or if the wheelchair must be turned at an opening, then greater clear widths are needed. For most situations, the addition of an inch of leeway on either side is sufficient. Thus, a minimum clear width of 32 in (815 mm) will provide adequate clearance. However, when an opening or a restriction in a passageway is more than 24 in (610 mm) long, it is essentially a passageway and must be at least 36 in (915 mm) wide.

(2) Space Requirements for Use of Walking Aids. Although people who use walking aids can maneuver through clear width openings of 32 in (815 mm), they need 36 in (915 mm) wide passageways and walks for comfortable gaits. Crutch tips, often extending down at a wide angle, are a hazard in narrow passageways where they might not be seen by other pedestrians. Thus, the 36 in (915 mm) width provides a safety allowance both for the disabled person and for others.

(3) Space Requirements for Passing. Able-bodied people in winter clothing, walking straight ahead with arms swinging, need 32 in (815 mm) of width, which includes 2 in (50 mm) on either side for sway, and another 1 in (25 mm) tolerance on either side for clearing nearby objects or other pedestrians. Almost all wheelchair users and those who use walking aids can also manage within this 32 in (815 mm) width for short distances. Thus, two streams of traffic can pass in 64 in (1625 mm) in a comfortable flow. Sixty inches (1525 mm) provide a minimum width for a somewhat more restricted flow. If the clear width is less than 60 in (1525 mm), two wheelchair users will not be able to pass but will have to seek a wider place for passing. Forty-eight inches (1220 mm) is the minimum width needed for an ambulatory person to pass a nonambulatory or semiambulatory person. Within this 48 in (1220 mm) width, the ambulatory person will have to twist to pass a wheelchair user, a person with a seeing eye dog, or a semiambulatory person. There will be little leeway for swaying or missteps (see Fig. A1).

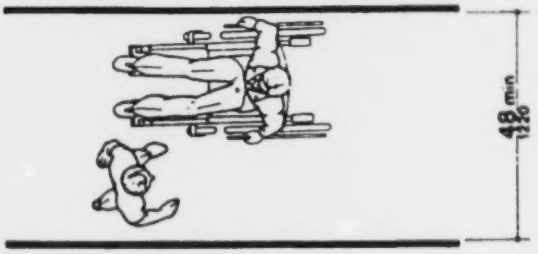


Fig. A1
Minimum Passage Width for One Wheelchair and One Ambulatory Person

A4.2.3 Wheelchair Turning Space. This standard specifies a minimum space of 60 in (1525 mm) diameter for a pivoting 180-degree turn of a wheelchair. This space is usually satisfactory for turning around, but many people will not be able to turn without repeated tries and bumping into surrounding objects. The space shown in Fig. A2 will allow most wheelchair users to complete U-turns without difficulty.

A4.2.4 Clear Floor or Ground Space for Wheelchairs. The wheelchair and user shown in Fig. A3 represent typical dimensions for a large adult male. The space requirements in this standard are based upon maneuvering clearances that will accommodate most larger wheelchairs. Fig. A3 provides a uniform reference for design not covered by this standard.

A4.2.5 & A4.2.6 Reach. *Reach ranges for persons seated in wheelchairs may be further clarified by Fig. A3(a). These drawings approximate in the plan view information shown in Fig. 4, 5, and 6 in other views.*

A4.3 Accessible Route.

A4.3.1 General.

(1) Travel Distances. Many disabled people can move at only very slow speeds; for many, traveling 200 ft (61 m) could take about 2 minutes. This assumes a rate of about 1.5 ft/s (455 mm/s) on level ground. It also assumes that the traveler would move continuously. However, on trips over 100 ft (30 m), disabled people are apt to rest frequently, which substantially increases their trip times. Resting periods of 2 minutes for every 100 ft (30 m) can be used to estimate travel times for people with severely limited stamina. In

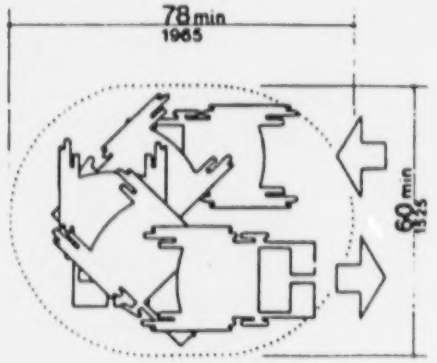
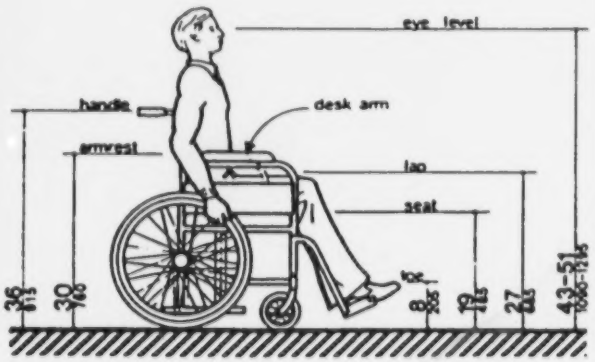
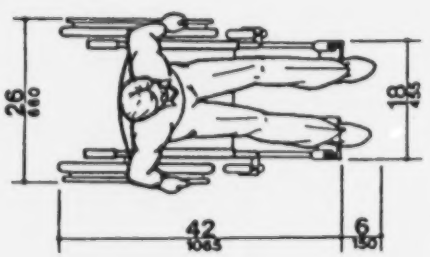


Fig. A2
Space Needed for Smooth U-Turn in a Wheelchair





NOTE: Footrests may extend further for very large people.

Fig. A3
Dimensions of Adult-Sized Wheelchairs

inclement weather, slow progress and resting can greatly increase a disabled person's exposure to the elements.

(2) Sites. Level, indirect routes or those with running slopes lower than 1:20 can sometimes provide more convenience than direct routes with maximum allowable slopes or with ramps.

A4.3.10 Egress. In buildings where physically handicapped people are regularly employed or are residents, an emergency management plan for their evacuation also plays an essential role in fire safety.

A4.4 Protruding Objects.

A4.4.1 General. Guide dogs are trained to recognize and avoid hazards. However, most people with severe impairments of vision use the long cane as an aid to mobility. The two principal cane techniques are the touch technique, where the cane arcs from side to side and touches points outside both shoulders; and the diagonal technique, where the cane is held in a stationary position diagonally across the body with the cane tip touching or just above the

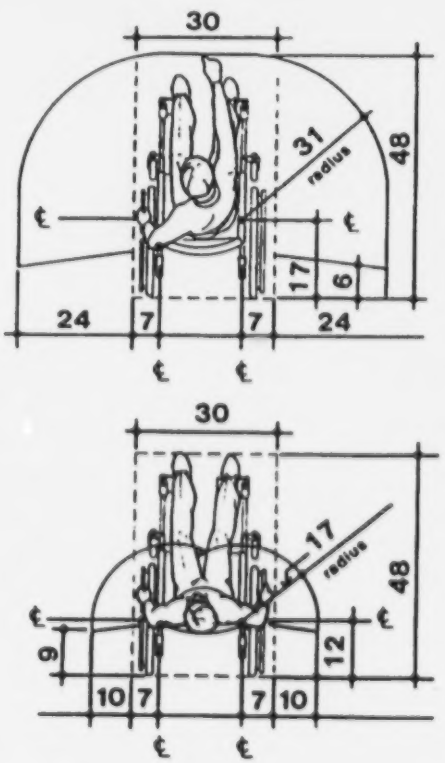


Fig. A3 (a)

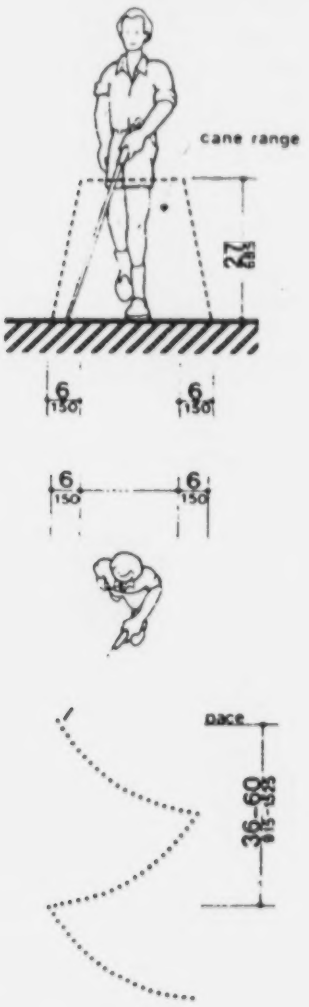


Fig. A4
Cane Technique

ground at a point outside one shoulder and the handle or grip extending to a point outside the other shoulder. The touch technique is used primarily in uncontrolled areas, while the diagonal technique is used primarily in certain limited, controlled, and familiar environments. Cane users are often trained to use both techniques.

Potential hazardous objects are noticed only if they fall within the detection range of canes (see Fig. A4). Visually impaired people walking toward an object can detect an overhang if its lowest surface is not higher than 27 in (685 mm). When walking alongside projecting objects, they cannot detect overhangs. Since proper cane and guide dog techniques keep people away from the edge of a path or from walks, a slight overhang of no more than 4 in (100 mm) is not hazardous.

A4.5 Ground and Floor Surfaces.

A4.5.1 General. Ambulant and semiambulant people who have difficulty maintaining balance and those with restricted gaits are particularly sensitive to slipping and tripping hazards. For such people, a stable and regular surface is necessary for safe walking, particularly on stairs. Wheelchairs can be propelled most easily on surfaces that are hard, stable, and regular. Soft, loose surfaces such as shag carpet, loose sand, and wet clay, and irregular surfaces, such as cobblestones, can significantly impede wheelchair movement.

Slip resistance is based on the frictional force necessary to keep a shoe heel or crutch tip from slipping on a walking surface under the conditions of use likely to be found on the surface. Although it is known that the static coefficient of friction is the basis of slip resistance, there is not as yet a generally accepted method to evaluate the slip resistance of walking surfaces.

Cross slopes on walks and ground or floor surfaces can cause considerable difficulty in propelling a wheelchair in a straight line.

A4.5.3 Carpet. Much more needs to be done in developing both quantitative and qualitative criteria for carpeting. However, certain functional characteristics are well established. When both carpet and padding are used, it is desirable to have minimum movement (preferably none) between the floor and the pad and the pad and the carpet, which would allow the carpet to hump or warp. In heavily trafficked areas, a thick, soft (plush) pad or cushion, particularly in combination with long carpet pile, makes it difficult for individuals in wheelchairs and those with other ambulatory disabilities to get about. This should not preclude their use in specific areas where traffic is light. Firm carpeting can be achieved through proper selection and combination of pad and carpet, sometimes with the elimination of the pad or cushion, and with proper installation.

A4.6 Parking and Passenger Loading Zones.

A4.6.3 Parking Spaces. High-top vans, which disabled people or transportation services often use, require higher clearances in parking garages than automobiles. *When optional van spaces are provided within a garage, only the spaces themselves and a vehicle route to them require the specified clearances.*

A4.6.4 Signage. Signs designating parking places for disabled people can be seen from a driver's seat if the signs are mounted high enough above the ground and located at the front of a parking space.

A4.8 Ramps.

A4.8.1 General. Ramps are essential for wheelchair users if elevators or lifts are not available to connect different levels. However, some people who use walking aids have difficulty with ramps and prefer stairs.

A4.8.2 Slope and Rise. The ability to manage an incline is related to both its slope and its length. Wheelchair users with disabilities affecting arms or with low stamina have serious difficulty using inclines. Most ambulatory people and most people who use wheelchairs can manage a slope of 1:16. Many people cannot manage a slope of 1:12 for 30 ft (9 m). Many people who have difficulty negotiating very long ramps at relatively shallow slopes can manage very short ramps at steeper slopes.

A4.8.5 Handrails. The requirements for stair and ramp handrails in this standard are for adults. When children are principal users in a building or facility, a second set of handrails at an appropriate height can assist them and aid in preventing accidents.

A4.10 Elevators.

A4.10.6 Door Protective and Reopening Device. The required door reopening device would hold the door open for 20 seconds if the doorway remains unobstructed. After 20 seconds, the door may begin to close. However, if designed in accordance with ANSI A17.1-1978, the door closing movement could still be stopped if a person or object exerts sufficient force at any point on the door edge.

A4.10.7 Door and Signal Timing for Hall Calls. This paragraph allows variation in the location of call buttons, advance time for warning signals, and the door-holding period used to meet the time requirement.

A4.10.12 Car Controls. Industry-wide standardization of elevator control panel design would make all elevators significantly more convenient for use by people with severe visual impairments.

In many cases, it will be possible to locate the highest control on elevator panels within 48 in (1220 mm) from the floor.

A4.10.13 Car Position Indicators. A special button may be provided that would activate the audible signal within the given elevator only for the desired trip, rather than maintaining the audible signal in constant operation.

A4.10.14 Emergency Communications. A device that requires no handset is easier to use by people who have difficulty reaching.

A4.11 Platform Lifts.

Platform lifts include porch lifts and other devices used for short-distance, vertical transportation of people in wheelchairs. At the present time, generally recognized safety standards for such lifts have not been developed. Care should be taken in selecting and installing lifts to ensure that they are free from hazards to users or to other individuals who may be in the vicinity where they are being operated.

A4.13 Doors.

A4.13.8 Thresholds at Doorways. Thresholds and surface height changes in doorways are particularly inconvenient for wheelchair users who also have low stamina or restrictions in arm movement, because complex maneuvering is required to get over the level change while operating the door.

A4.13.9 Door Hardware. Some disabled persons must push against a door with their chair or walker to open it. Applied kickplates on doors with closers can reduce required maintenance by withstanding abuse from wheelchairs and canes. To be effective, they should cover the door width, less approximately 2 in (51 mm), up to a height of 16 in (405 mm) from its bottom edge and be centered across the top.

A4.13.10 Door Closers. Closers with delayed action features give a person more time to maneuver through doorways. They are particularly useful on frequently used interior doors such as entrances to toilet rooms.

A4.13.11 Door Opening Force. Although most people with disabilities can exert at least 5 lbf (22.2N), both pushing and pulling from a stationary position, a few people with severe disabilities cannot exert even 3 lbf (13.3N). Although some people cannot manage the allowable forces in this standard and many others have difficulty, door closers must have certain minimum closing forces to close doors satisfactorily. Forces for pushing or pulling doors open are measured with a push-pull scale under the following conditions:

(1) Hinged doors: Force applied perpendicular to the door at the door opener or 30 in (760 mm) from the hinged side, whichever is farther from the hinge.

(2) Sliding or folding doors: Force applied parallel to the door at the door pull or latch.

(3) Application of force: Apply force gradually so that the applied force does not exceed the resistance of the door.

In high-rise buildings, air-pressure differentials may require a modification of this specification in order to meet the functional intent.

A4.13.12 Automatic Doors and Power-Assisted Doors. Sliding automatic doors do not need guard rails and are more convenient for wheelchair users and visually impaired people to use. If slowly opening automatic doors can be reactuated before their closing cycle is completed, they will be more convenient in busy doorways.

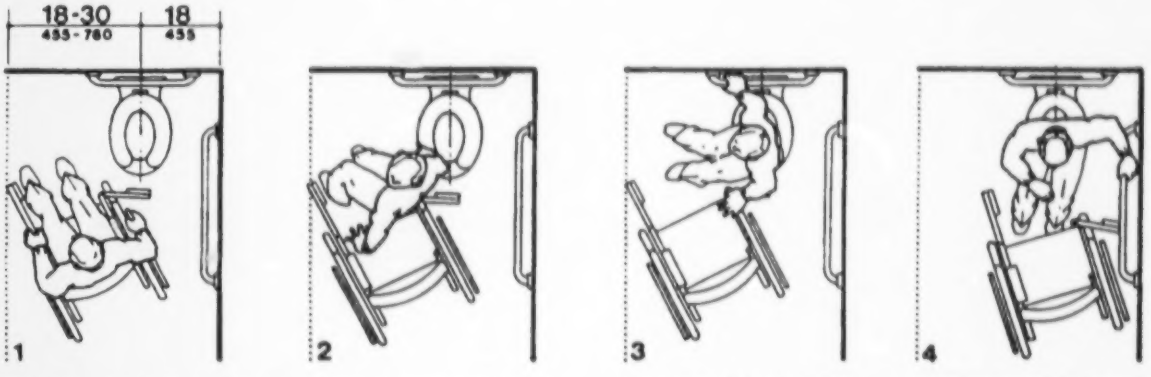
A4.15 *Drinking Fountains and Water Coolers.*

A4.15.2 *Drinking fountains with two spouts can assist both handicapped people and those people who find it difficult to bend over.*

A4.16 Water Closets.

A4.16.3 Height. Preferences for toilet seat heights vary considerably among disabled people. Higher seat heights may be an advantage to some ambulatory disabled people but a disadvantage for wheelchair users and others. Toilet seats 18 in (455 mm) high seem to be a reasonable compromise. Thick seats and filler rings are available to adapt standard fixtures to these requirements.

A4.16.4 Grab Bars. Fig. A5(a) and (b) show the diagonal and side approaches most commonly used to transfer from a wheelchair to a water closet. Some wheelchair users can transfer from the front of the toilet, while others use a 90-degree approach. Most people who use the two additional approaches can also use either the diagonal approach or the side approach.



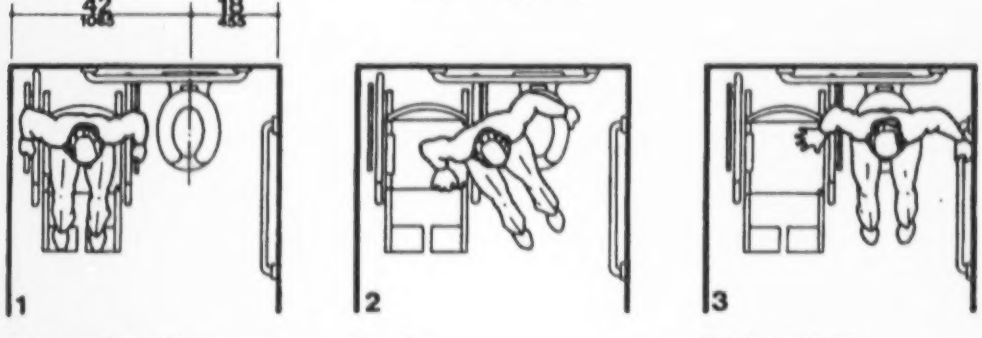
1 Takes transfer position, swings footrest out of the way, sets brakes.

2 Removes armrest, transfers.

3 Moves wheelchair out of the way, changes position (some people fold chair or pivot it 90° to the toilet).

4 Positions on toilet, releases brake.

(a)
Diagonal Approach



1 Takes transfer position, removes armrest, sets brakes.

2 Transfers.

3 Positions on toilet.

(b)
Side Approach

Fig. A5
Wheelchair Transfers

A4.16.5 Flush Controls. Flush valves and related plumbing can be located behind walls or to the side of the toilet, or a toilet seat lid can be provided if plumbing fittings are directly behind the toilet seat. Such designs reduce the chance of injury and imbalance caused by leaning back against the fittings. Flush controls for tank-type toilets have a standardized mounting location on the left side of the tank (facing the tank). Tanks can be obtained by special order with controls mounted on the right side. If administrative authorities require flush controls for flush valves to be located in a position that conflicts with the location of the rear grab bar then that bar may be split or shifted toward the wide side of the toilet area.

A4.17 Toilet Stalls.

A4.17.5 Doors. To make it easier for wheelchair users to close toilet stall doors, doors can be provided with closers, spring hinges, or a pull bar mounted on the inside surface of the door near the hinge side.

A4.19 Lavatories and Mirrors.

A4.19.6 Mirrors. If mirrors are to be used by both ambulatory people and wheelchair users, then they must be at least 74 in (1880 mm) high at their topmost edge. A single full length mirror can accommodate all people, including children.

A4.21 Shower Stalls.

A4.21.1 General. Shower stalls that are 36 in by 36 in (915 mm by 915 mm) wide provide additional safety to people who have difficulty maintaining balance because all grab bars and walls are within easy reach. Seated people use the walls of 36 in by 36 in (915 mm by 915 mm) showers for back support. Shower stalls that are 60 in (1525 mm) wide and have no curb may increase usability of a bathroom by wheelchair users because the shower area provides additional maneuvering space.

A4.23 Bathrooms, Bathing Facilities, and Shower Rooms.

A4.23.9 Medicine Cabinets. Other alternatives for storing medical and personal care items are very useful to disabled people. Shelves, drawers, and floor-mounted cabinets can be provided within the reach ranges of disabled people.

A4.26 Handrails, Grab Bars, and Tub and Shower Seats.

A4.26.1 General. Many disabled people rely heavily upon grab bars and handrails to maintain balance and prevent serious falls. Many people brace their forearms between supports and walls to give them more leverage and stability in maintaining balance or for lifting. The maximum grab bar clearance of 1-1/2 in (38 mm) required in this standard is a safety clearance to prevent injuries from arms slipping through the opening. It also provides adequate gripping room.

A4.26.2 Size and Spacing of Grab Bars and Handrails. This specification allows for alternate shapes of handrails as long as they allow an opposing grip similar to that provided by a circular section of 1-1/4 in to 1-1/2 in (32 mm to 38 mm).

A4.27 *Controls and Operating Mechanisms.*

A4.27.3 *Height.* *Fig. A6 further illustrates mandatory and advisory control mounting height provisions for typical equipment. Note distinction between built-in equipment (considered real property) and movable equipment (considered chattel, and not covered by the Architectural Barriers Act of 1968).*

A4.28 Alarms.

A4.28.2 Audible Alarms. Audible emergency signals must have an intensity and frequency that can attract the attention of individuals who have partial hearing loss. People over 60 years of age generally have difficulty perceiving frequencies higher than 10,000 Hz.

A4.28.3 Visual Alarms. The specifications in this section do not preclude the use of zoned or coded alarm systems. In zoned systems, the emergency exit lights in an area will flash whenever an audible signal rings in the area.

A4.28.4 Auxiliary Alarms. Locating visual emergency alarms in rooms where deaf individuals may work or reside alone can ensure that they will always be warned when an emergency alarm is activated. To be effective, such devices must be located and oriented so that they will spread signals and reflections throughout a space or raise the overall light level sharply. The amount and type of light necessary to wake a deaf person from a sound sleep in a dark room will vary depending on a number of factors, including the size and configuration of the room, the distance between the source and the person, whether or not the light flashes, and the cycle of flashing. A 150-watt flashing bulb can be effective under some conditions. Certain devices currently available are designed specifically as visual alarms for deaf people. Deaf people may not need accessibility features other than the emergency alarm connections and communications devices. Thus, rooms in addition to those accessible for wheelchair users also should be equipped with emergency visual alarms or connections.

A4.29 Tactile Warnings.

A4.29.2 Tactile Warnings on Walking Surfaces. *(Reserved).*

A4.29.3 Tactile Warnings on Doors to Hazardous Areas. Tactile signals for hand reception are useful if it is certain that the signals will be touched.

A4.29.5 Tactile Warnings at Hazardous Vehicular Areas. *(Reserved).*

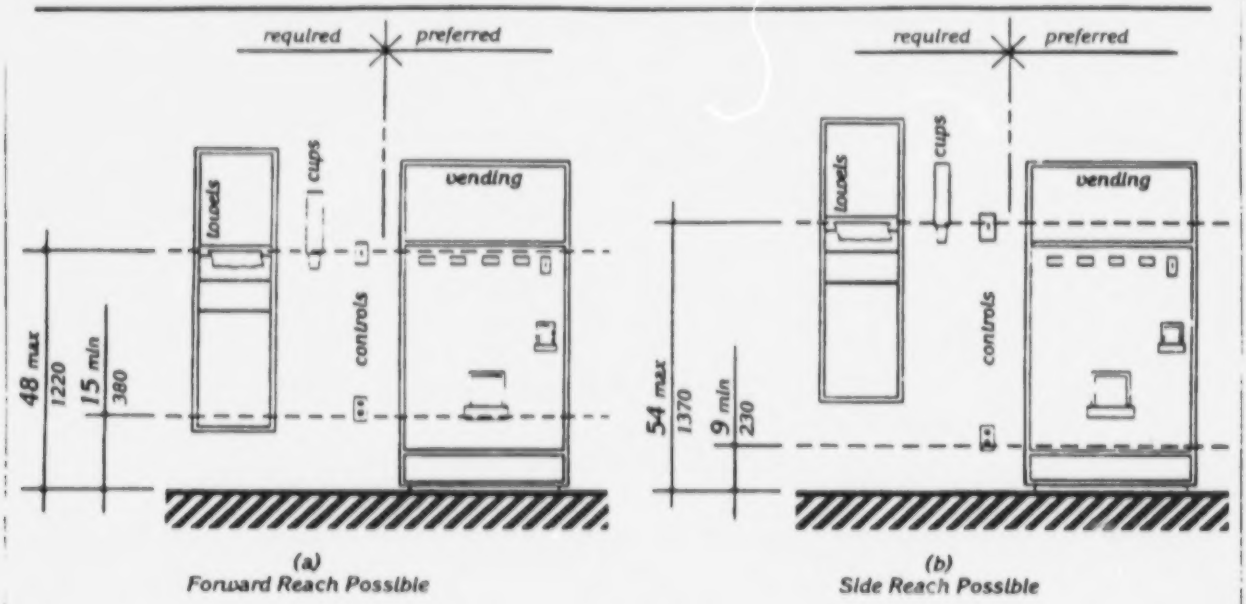


Fig. A6
Control Reach Limitations

A4.29.6 Tactile Warnings at Reflecting Pools. *(Reserved).*

A4.29.7 Standardization. Too many tactile warnings or lack of standardization weakens their usefulness. Tactile signals can also be visual signals to guide dogs, since dogs can be trained to respond to a large variety of visual cues.

A4.30 Signage.

A4.30.1 General. In building complexes where finding locations independently on a routine basis may be a necessity (for example, college campuses), tactile maps or prerecorded instructions can be very helpful to visually impaired people. Several maps and auditory instructions have been developed and tested for specific applications. The type of map or instructions used must be based on the information to be communicated, which depends highly on the type of buildings or users.

Landmarks that can easily be distinguished by visually impaired individuals are useful as orientation cues. Such cues include changes in illumination level, bright colors, unique patterns, wall murals, location of special equipment, or other architectural features (for example, an exterior view).

Many people with disabilities have limitations in movement of their head and reduced peripheral vision. Thus, signage positioned perpendicular to the path of travel is easiest for them to notice. People can generally distinguish signage within an angle of 30 degrees to either side of the centerline of their face without moving their head.

A4.30.2 Character Proportion. The legibility of printed characters is a function of the viewing distance, character height, the ratio of the stroke width to the height of the character, the contrast of color between character and background, and print font. The size of characters must be based upon the intended viewing distance. A severely nearsighted person may have to be much closer to see a character of a given size accurately than a person with normal visual acuity.

A4.30.3 Color Contrast. The greatest readability is usually achieved through the use of light-colored characters or symbols on a dark background.

A4.30.4 Raised or Indented Characters or Symbols. Signs with descriptive materials about public buildings, monuments, and objects of cultural interest can be raised or incised letters. However, a sighted guide or audio-tape device is often a more effective way to present such information. Raised characters are easier to feel at small sizes and are not susceptible to maintenance problems as are indented characters, which can fill with dirt, cleaning compounds, and the like.

Braille characters can be used in addition to standard alphabet characters and numbers. Placing braille

characters to the left of standard characters makes them more convenient to read. Standard dot sizing and spacing as used in braille publications are acceptable. Raised borders around raised characters can make them confusing to read unless the border is set far away from the characters.

A4.31 Telephones.

A4.31.3 Mounting Height. In localities where the dial-tone first system is in operation, calls can be placed at a coin telephone through the operator without inserting coins. The operator button is located at a height of 46 in (1170 mm) if the coin slot of the telephone is at 54 in (1370 mm).

A generally available public telephone with a coin slot mounted lower on the equipment would allow universal installation of telephones at a height of 48 in (1220 mm) or less to all operable parts.

A4.31.5 Equipment for Hearing Impaired People. Other aids for people with hearing impairments are telephones, teleprinter, and other telephonic devices that can be used to transmit printed messages through telephone lines to a teletype printer or television monitor.

A4.32 Seating, Tables, and Work Surfaces.

A4.32.4 Height of Work Surfaces. Different types of work require different work surface heights for comfort and optimal performance. Light detailed work such as writing requires a work surface close to elbow height for a standing person. Heavy manual work such as rolling dough requires a work surface height about 10 in (255 mm) below elbow height for a standing person. The principle of a high work surface height for light detailed work and a low work surface for heavy manual work also applies for seated persons; however, the limiting condition for seated manual work is clearance under the work surface.

Table A1 shows convenient work surface heights for seated persons. The great variety of heights for comfort and optimal performance indicates a need for alternatives or a compromise in height if people who stand and people who sit will be using the same counter area.

A4.33 Assembly Areas.

A4.33.2 Size of Wheelchair Locations. Spaces large enough for two wheelchairs allow people who are coming to a performance together to sit together.

A4.33.3 Placement of Wheelchair Locations. The location of wheelchair areas can be planned so that a variety of positions within the seating area are provided. This will allow choice in viewing and price categories.

A4.33.6 Placement of Listening Systems. A distance of 50 ft (15 m) allows a person to distinguish performers' facial expressions.

Table A1
Convenient Heights of
Work Surfaces for Seated People*

Conditions of Use	Short Women		Tall Men	
	in	mm	in	mm
Seated in a wheelchair:				
Manual work:				
Desk or removable armrests	26	660	30	760
Fixed, full-size armrests†	32‡	815	32‡	815
Light, detailed work:				
Desk or removable armrests	29	735	34	865
Fixed, full-size armrests†	32‡	815	34	865
Seated in a 16-in (405 mm) -high chair:				
Manual work	26	660	27	685
Light, detailed work	28	710	31	785

*All dimensions are based on a work-surface thickness of 1-1/2 in (38 mm) and a clearance of 1-1/2 in (38 mm) between legs and the underside of a work surface.

†This type of wheelchair arm does not interfere with the positioning of a wheelchair under a work surface.

‡This dimension is limited by the height of the armrests; a lower height would be preferable. Some people in this group prefer lower work surfaces, which require positioning the wheelchair back from the edge of the counter.

A4.33.7 Types of Listening Systems. A listening system that can be used from any seat in a seating area is the most flexible way to meet this specification. Earphone jacks with variable volume controls can benefit only people who have slight hearing losses and do not help people with hearing aids. At the present time, audio loops are the most feasible type of listening system for people who use hearing aids, but people without hearing aids or those with hearing aids not equipped with inductive pickups cannot use them. Loops can be portable and moved to various locations within a room. Moreover, for little cost, they can serve a large area within a seating area. Radio frequency systems can be extremely effective and inexpensive. People without hearing aids can use them, but people with hearing aids need custom-designed equipment to use them as they are presently designed. If hearing aids had a jack to allow a by-pass of microphones, then radio frequency systems would be suitable for people with and without hearing aids. Some listening systems may be subject to interference from other equipment and feedback from hearing aids of people who are using the systems. Such interference can be controlled by careful engineering design that anticipates feedback and sources of interference in the surrounding area.

A4.34 Dwelling Units.

A4.34.2 Minimum Requirements. Handicapped people who live in accessible dwelling units of multifamily buildings or housing projects will want to participate in all on-site social activities, including visiting neighbors in their dwelling units. Hence, any circulation paths among all dwelling units and among all on-site facilities should be as accessible as possible. An accessible second exit to dwelling units provides an extra margin of safety in a fire.

A4.34.5 Bathrooms. Although not required by these specifications, it is important to install grab bars at toilets, bathtubs, and showers if it is known that a dwelling unit will be occupied by elderly or severely disabled people.

A4.34.6 Kitchens.

A4.34.6.1 Clearance. The minimum clearances provide satisfactory maneuvering spaces for wheelchairs only if cabinets are removed at the sink.

A4.34.6.5 Sink. Installing a sink with a drain at the rear so that plumbing is as close to the wall as possible can provide additional clear knee space for wheelchair users.

A4.34.6.6 Ranges and Cooktops. Although not required for minimum accessibility, countertop range units in a counter with adjustable heights can be an added convenience for wheelchair users.

A4.34.6.7 Ovens. Countertop or wall-mounted ovens with side-opening doors are easier for people in wheelchairs to use. Clear spaces at least 30 in (760 mm) wide under counters at the side of ovens are an added convenience. The pullout board or fixed shelf under side-opening oven doors provides a resting place for heavy items being moved from the oven to a counter.

A4.34.6.8 Refrigerator/Freezers. Side-by-side refrigerator/freezers provide the most usable freezer compartments. Locating refrigerators so that their doors can swing back 180 degrees is more convenient for wheelchair users.

A4.34.6.10 Kitchen Storage. Full height cabinets or tall cabinets can be provided rather than cabinets mounted over work counters. Additional storage space located conveniently adjacent to kitchens can be provided to make up for space lost when cabinets under counters are removed.

A9. Postal Facilities.

A9.2 *Post Office Lobbies.* *Furniture as chattel is not covered under the Architectural Barriers Act of 1968, but the requirements for lobby furniture and equipment are imposed by the United States Postal Service for greater accessibility in its customer lobbies.*

Note: Unedited copies of the American National Standards Institute standard, A117.1-1980, "Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People," are available from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018.

INDEX

ACCESS AISLES

Definition of ... 3.5
Parking & Passenger Loading Zones ... 4.6.3, 4.6.5
Restaurants & Cafeterias ... 5.1

ACCESS TO PERFORMING ARTS (See PERFORMING AREAS)

ACCESSIBLE ROUTE (See also ACCESS AISLE; CIRCULATION PATH/ROUTE) ... **4.3, A4.3***

Assembly Area ... 4.33.3, 4.33.5
Bathrooms, Bathing Facilities & Shower Rooms ... 4.23.1
Curb Ramps ... 4.7.1, 4.7.2
Definition of ... 3.5
Doors ... 4.13.2
Dwelling Units: Bathrooms ... 4.34.5
Dwelling Units: Laundry Facilities ... 4.34.7.1
Dwelling Units: Kitchens ... 4.34.6
Dwelling Units: Minimum Requirements ... 4.34.2, (3), (15), 4.34.5, 4.34.6, 4.34.7
Elevators ... 4.10.1
Entrances ... 4.14.1
Ground & Floor Surfaces ... 4.5.1
Head Room ... 4.3.5
Historic Preservation: Applicability ... 4.1.7(1)(b)
Lavatories & Mirrors ... 4.19.3
Minimum Number: Additions ... 4.1.5(2)
Minimum Number: Alterations ... 4.1.6(3),(a), (4)(f)(i), (ii)
Minimum Number: Historic Preservation ... 4.1.7, (2)(a),(c),(d)
Minimum Number: Housing ... 4.1.3(3)
Minimum Number: New Construction ... 4.1.2(1),(3),(7)(c),(9),(10),(12)
Minimum Number: Sites & Exterior Facilities ... 4.1.1(1),(2),(4)
Parking & Passenger Loading Zones ... 4.6.2, 4.6.3
Protruding Objects ... 4.4.1, 4.4.2
Ramps ... 4.8.1
Restaurants & Cafeterias ... 5.1
Sinks ... 4.24.5
Space Allowances & Reach Ranges ... 4.2.4.2
Stairs ... 4.9.2
Toilet Rooms ... 4.22.1, 4.22.3, 4.22.7
Toilet Stalls ... 4.17.1
Urinals ... 4.18.3

ADAPTABILITY (See also DWELLING UNITS; KITCHENS)

Adaptable Features: Consumer Information ... 4.34.4
Adaptability ... 4.34.3
Definition of ... 3.5
Occupancy Classification: Military Housing ... 4.1.4(3)

ADAPTABLE BATHROOMS (See DWELLING UNITS)

ADAPTABLE KITCHENS (See KITCHENS)

ADDITIONS

Definition of ... 3.5
Minimum Number: Additions ... 4.1.5

ADMINISTRATIVE AUTHORITY/AUTHORITIES

Accessible Route: Areas of Refuge ... 4.3.10
Definition of ... 3.5
Fire Door Opening Force ... 4.13.11(1)
Location of Flush Controls ... A4.16.5
Platform Lifts: Safety Regulations ... 4.11.2
Toilet Stalls: Plumbing Code Requirements ... 4.17.3
Use of Residential or Enclosed Wheelchair Lifts ... 4.10.1

ALARMS ... **4.28, A4.28**

Audible Alarms ... 4.1.2(13), 4.28.2, 4.28.3, A4.28.2

*Bold denotes major sections of Uniform Federal Accessibility Standards

ALARMS (CONTINUED)

Audible Signal (See ELEVATORS)
Auxiliary Alarms 4.28.4
Alarms in Dwelling Units (See DWELLING UNITS)
Emergency Alarms (See EMERGENCY WARNING SYSTEMS)
Minimum Number: Alterations ..... 4.1.6(3)(d)(iv)
Visual Alarms ..... 4.1.2(13), 4.28.3, A4.28.3

ALTERATIONS

Definition of 3.5
Historic Preservation: Applicability ..... 4.1.7(1)(a)
Minimum Number: Alterations 4.1.6
Toilet Stalls: Exceptions 4.17.3

ASSEMBLY AREAS (See also CONFERENCE ROOMS; MEETING ROOMS; SEATING, TABLES & WORK SURFACES; PERFORMING AREAS) **4.33, A4.33**

Access to Performing Areas (See PERFORMING AREAS)
Balconies 4.33.3
Definition of 3.5
Egress (See EGRESS)
Fixed Seating Plan 4.33.3
Minimum Number: Alterations ..... 4.1.6(3)(d)(vii), (4)(f)
Minimum Number: New Construction ..... 4.1.2(18)
Occupancy Classification: Assembly ..... 4.1.4(4)
Occupancy Classification: Military Exclusions ..... 4.1.4(2)(c)
Placement of Listening Systems (See LISTENING SYSTEMS)
Placement of Wheelchair Seating Areas 4.33.3, A4.33.3
Size of Wheelchair Locations 4.33.2, A4.33.2
Surfaces (See GROUND & FLOOR SURFACES)
Types of Listening Systems (See LISTENING SYSTEMS)

ASSEMBLY OCCUPANCY ..... **4.1.4(4)**

AUDIO-AMPLIFICATION SYSTEMS (See also LISTENING SYSTEMS)

Auditory Instructions A4.30.1, A4.30.4
Minimum Number: New Construction ..... 4.1.2(18)(b)
Types of Listening Systems (See LISTENING SYSTEMS)

AUTOMATIC DOORS (See DOORS)

BALCONIES (See ASSEMBLY AREAS; DWELLING UNITS)

BATHROOMS, BATHING FACILITIES & SHOWER ROOMS (See also BATHTUBS) **4.23**

Bathing & Shower Facilities: Minimum Number 4.23.8
Bathrooms in Dwelling Units (See DWELLING UNITS)
Clear Floor Space 4.23.3
Controls & Dispensers (See CONTROLS & OPERATING MECHANISMS)
Doors (See DOORS)
Lavatories & Mirrors: Minimum Number 4.23.6
Medicine Cabinets: Minimum Number 4.23.9, A4.23.9
Medicine Cabinets in Dwelling Units (See DWELLING UNITS)
Minimum Number: Additions ..... 4.1.5(3)
Minimum Number: Alterations ..... 4.1.6(3)(c)
Minimum Number: New Construction ..... 4.1.2(10)
Minimum Number: New Construction/Bathing Facilities ..... 4.1.1(6), (7)(d)
Urinals: Minimum Number 4.23.5
Water Closets: Minimum Number 4.23.4

BATHTUBS (See also BATHROOMS, BATHING FACILITIES & SHOWER ROOMS; SHOWER STALLS) **4.20**

Bathtub Enclosures 4.20.7
Bathtub Enclosures in Dwelling Units (See DWELLING UNITS)
Clear Floor Space 4.23.3
Controls (See CONTROLS & OPERATING MECHANISMS)
Grab Bars (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
In-tub Seats 4.20.3, 4.20.7, 4.26.3
Shower Unit (See SHOWER SPRAY UNITS)

BEDROOMS (See DWELLING UNITS; HEALTH CARE)

BUSINESS OCCUPANCY ..... 4.1.4(5)

CABINETS

Cabinets for Kitchens (See KITCHENS)
Medicine Cabinets (See BATHROOMS, BATHING FACILITIES & SHOWER ROOMS)
Occupancy Classification: Factory Industrial ..... 4.1.4(7)
Storage Cabinets (See STORAGE)

CAFETERIAS (See RESTAURANTS & CAFETERIAS)

CARD CATALOGS (See LIBRARIES)

CARPET (See also GROUND & FLOOR SURFACES)

Occupany Classification: Factory Industrial ..... 4.1.4(7)
Carpet & Carpet Tile 4.5.3, A4.5.3

CARPET TILE (See CARPET)

CARPORTS (See DWELLING UNITS)

CHANGES IN LEVELS (See also ELEVATORS; STAIRS; PLATFORM LIFTS)

Accessible Route 4.3.8
Ground & Floor Surfaces 4.5.2
Thresholds at Doorways 4.13.8, A4.13.8

CHARACTER PROPORTION (See SIGNAGE)

CHECK-OUT AISLES (See MERCANTILE)

CHILD CARE FACILITIES

Occupancy Classification: Institutional ..... 4.1.4(9)

CIRCULATION PATH/ROUTE (See also ACCESS AISLE; ACCESSIBLE ROUTE)

Definition of 3.5
Dwelling Units A4.34.2
Head Room 4.4.2
Location of Parking & Passenger Loading Zones 4.6.2
Minimum Number: New Construction ..... 4.1.2(2)
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(3)
Parking Spaces (See PARKING & PASSENGER LOADING ZONES)
Post Office Lobbies ..... 9.2(1)

CLEAR FLOOR SPACE FOR WHEELCHAIRS (See CLEARANCES FOR WHEELCHAIRS)

CLEAR KNEE SPACE (See KNEE & TOE CLEARANCE)

CLEAR WIDTH (See CLEARANCES FOR WHEELCHAIRS)

CLEARANCES FOR WHEELCHAIRS (See also GROUND & FLOOR SURFACES; REACH RANGES)

Clear Floor Space for Wheelchair 4.2.4, A4.2.4
Maneuvering Clearances 4.2.4.2, 4.10.9, 4.13.6, 9.2
Minimum Clear Width 4.2.4.1
Obstructed Turning Space 4.3.3
Passing Space 4.3.4
Passing Width 4.2.1, A4.2.1
Turning Space 4.2.3, A4.2.3
Unobstructed Aisle Space 9.5
Unobstructed Turning Space 4.2.3, 4.22.3, 4.23.3
Width for Wheelchair Passing 4.2.2

CLOTHES DRYERS (See DWELLING UNITS)

CLOTHES RODS (See STORAGE)

COLOR CONTRAST (See SIGNAGE)

COMMON AREAS/SPACES (See COMMON USE)

COMMON USE (See also STREETS & SIDEWALKS)

Common Areas/Spaces ..... 4.1.4(3), 4.1.5(4), 4.1.6(1)(a), 4.34.2(1)
Definition of 3.5
Laundry Facilities (See DWELLING UNITS)
Minimum Number: Housing ..... 4.1.3(1)(b)
Minimum Number: New Construction ..... 4.1.2(10)

COMMON USE (CONTINUED)

Minimum Number: Sites & Exterior Facilities ..... 4.1.1(6)
Occupancy Classification: Institutional ..... 4.1.4(9)(a), (b), (c)
Occupancy Classification: Residential ..... 4.1.4(11)(a)
Parking Spaces 4.6.3

COMMUNICATION SYSTEMS (See EMERGENCY COMMUNICATION SYSTEMS; SIGNAGE)

CONFERENCE ROOMS

Definition of (See Assembly Areas) 3.5
Minimum Number: New Construction ..... 4.1.2(18)(b)

CONSUMER INFORMATION (See DWELLING UNITS)

CONTROLS & DISPENSERS (See CONTROLS & OPERATING MECHANISMS; DISPENSERS)

CONTROLS & OPERATING MECHANISMS 4.27, A4.27

Bathrooms, Bathing Facilities & Shower Rooms: Controls & Dispensers 4.23.7
Bathtub Controls in Dwelling Units ..... 4.34.5.4(4)
Clear Floor Space at Controls & Dispensers 4.27.2
Definition of (See Operable Part) 3.5
Door Hardware 4.13.9, A4.13.9
Drinking Fountains & Water Coolers: Controls 4.15.4
Elevator Emergency Communication Controls 4.10.14
Highest Operable Part of Controls & Dispensers 4.27.3, A4.27.3
Kitchen Controls 4.34.6.3
Laundry Controls 4.34.7.3
Lavatory Faucets (See FAUCETS)
Minimum Number: New Construction ..... 4.1.2(12)
Minimum Requirements: Housing ..... 4.34.2(9)
Operable Equipment 4.27.2, 4.27.3
Operation of Controls & Operating Mechanisms 4.27.4
Oven Controls 4.34.6.6, 4.34.7
Postal Facilities Switches & Controls 9.1
Shower Controls in Dwelling Units ..... 4.34.5.5(4)
Shower Stall Controls 4.21.5
Sink Faucets (See FAUCETS)
Storage Hardware 4.25.4
Telephone Controls (See TELEPHONES)
Toilet Room Controls & Dispensers 4.16.6, 4.22.7
Urinal Flush Controls 4.18.4
Water Closet Flush Controls 4.16.5, A4.16.5
Water Closet Dispensers in Dwelling Units ..... 4.34.5.2(4)

COOKTOPS (See KITCHENS)

CORRECTIONAL FACILITIES ..... 4.1.4(9)(c)

CROSS SLOPES (See RAMPS)

CURB RAMPS (See also RAMPS) 4.7

Built-up Curb Ramps 4.7.6
Changes in Levels Along Accessible Routes 4.3.8
Curbs 4.6.5, 4.7.1, 4.7.5, 4.7.10, 4.8.7
Diagonal Curb Ramps 4.7.10
Definition of 3.5
Islands (Traffic) 4.7.11
Location 4.7.1
Location of Marked Crossings 4.7.9
Minimum Number: Alterations ..... 4.1.6(1)(b), (4)(a)
Obstructions by Parked Vehicles 4.7.8
Passenger Loading Zones 4.6.5
Sides of Curb Ramps 4.7.5
Slopes & Rises 4.8.2
Surfaces (See GROUND & FLOOR SURFACES)
Uncurbed Intersections 4.7.12
Width 4.7.3

CURBS (See CURB RAMPS)

DETENTION FACILITIES (See CORRECTIONAL FACILITIES)

DINING AREAS (See DWELLING UNITS)

DIRECTIONAL SIGNS (See SIGNAGE)

DISHWASHERS (See KITCHENS)

DISPENSERS (See CONTROLS & OPERATING MECHANISMS)

DISPLAYS

Historic Preservation: Applicability ..... 4.1.7(1)(b)
Libraries 8.4
Minimum Number: Historic Preservation ..... 4.1.7(2)(e)
Occupancy Classification: Mercantile ..... 4.1.4(10)
Restaurants & Cafeterias 5.3

DOOR & SIGNAL TIMING FOR HALL CALLS (See ELEVATORS)

DOOR CLOSERS (See ELEVATORS; DOORS)

DOOR DELAY FOR CAR CALLS (See ELEVATORS)

DOOR HARDWARE (See CONTROLS & OPERATING MECHANISMS)

DOOR PROTECTIVE & REOPENING DEVICES (See ELEVATORS)

DOORS (See also ELEVATORS; ENTRANCES) **4.13, A4.13**

Accessible Route: Doors 4.3.9
Automatic Doors & Power-Assisted Doors 4.13.12, A4.13.12
Bathrooms, Bathing Facilities & Shower Rooms: Doors 4.23.2
Clear Opening Width at Doorways 4.13.5, A4.2.1
Definition of (See Automatic Door, Entrance, Power-Assisted Door) 3.5
Door Closers 4.13.10, A4.13.10
Door Opening Force 4.13.11, A4.13.11
Doors to Hazardous Areas (See TACTILE WARNINGS)
Doors to Patients' Bedrooms ..... 6.3(5)
Double-leaf Doorways 4.13.4
Dwelling Units: Doors ..... 4.34.5.1, 4.34.5.2(6)
Entry Doors to Acute Care Hospital Rooms 4.13.6
Exterior Hinged Doors ..... 4.13.11(2)(a)
Exterior Sliding Doors 4.13.8
Fire Doors ..... 4.13.11(1)
Gates 4.13.3
Hardware (See CONTROLS & OPERATING MECHANISMS)
Hinged Doors ..... 4.13.11(2)(a),(b), A4.13.11(1)
Interior Hinged Doors ..... 4.13.11(2)(b)
Maneuvering Clearances at Doors ..... 4.8.4(4), 4.13.6
Minimum Number: Alterations ..... 4.1.6(4)(d)
Minimum Number: New Construction ..... 4.1.2(7)
Revolving Doors & Turnstiles 4.13.2, 8.3
Sliding Doors ..... A4.13.11(2)
Thresholds at Doorways 4.13.8, A4.13.8
Toilet Room Doors 4.22.2
Toilet Stall Doors 4.17.5, A4.17.5
Two Doors in Series 4.13.7

DRESSING ROOMS (See PERFORMING AREAS)

DRINKING FOUNTAINS & WATER COOLERS **4.15, A4.15**

Clearances 4.15.5
Controls (See CONTROLS & OPERATING MECHANISMS)
Knee Clearance (See KNEE & TOE CLEARANCE)
Minimum Number: Alterations ..... 4.1.6(3)(d)(ii)
Minimum Number: New Construction ..... 4.1.2(9)
Postal Facilities 9.1
Spout Height 4.15.2, A4.15.2
Spout Location 4.15.3

DWELLING UNITS (See also EGRESS; ENTRANCES; FIXTURES; REACH RANGES; SEATING, TABLES & WORK SURFACES; WATER CLOSETS) **4.34, A4.34**

Accessible Route ..... 4.3.2(3), (4)
Adaptable Bathrooms 4.34.5, A4.34.5

DWELLING UNITS (CONTINUED)

Adaptability 4.34.3
Alarms ..... 4.34.2(10), 4.34.4(3)
Balconies ..... 4.34.2(15)(d)
Base Cabinets (See KITCHENS)
Bathrooms ..... 4.34.2(12), 4.34.4(2), 4.34.5, A4.34.5
Bathtubs ..... 4.34.2(12), 4.34.4(2), 4.34.5.4, 4.34.6, A4.34.5
Bathtub Enclosures 4.34.5.6
Bathtub Seats ..... 4.34.5.4(2)
Bathtub & Shower Faucets (See FAUCETS)
Bedrooms ..... 4.34.2(15)(c)
Cabinets: Minimum Requirements ..... 4.34.2(8)
Carports ..... 4.1.4(13), 4.34.2(15)(d)
Clothes Dryers 4.34.7.2
Common Spaces & Facilities ..... 4.34.2(1)
Consumer Information 4.34.4
Controls (See CONTROLS & OPERATING MECHANISMS)
Definition of (See also Housing, Multi-family Dwelling) 3.5
Dining Areas ..... 4.34.2(15)(b)
Doors (See DOORS)
Emergency Warning Systems (See EMERGENCY WARNING SYSTEMS)
Entrances ..... 4.34.2(3), (6), (7)
Exits A4.34.2
Faucets (See FAUCETS)
Fixed or Hand-held Shower Units (See SHOWER SPRAY UNITS)
Garages (See GARAGES)
Grab Bars (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Height of Water Closets ..... 4.34.5.2(2)
In-Tub Seats ..... 4.34.5.4(2)
Kitchens (See KITCHENS)
Laundry Facilities ..... 4.34.2(14), 4.34.6.2, 4.34.7, 4.34.7.1, 4.34.7.2, 4.34.7.3
Lavatories (See LAVATORIES & MIRRORS)
Living Rooms ..... 4.34.2(15)(a)
Medicine Cabinets 4.34.5.3
Minimum Number: Housing 4.1.3
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(5)(d)(1),(2)
Mirrors (See LAVATORIES & MIRRORS)
Occupancy Classification: Residential ..... 4.1.4(11)(b), (c)
Parking (See PARKING & PASSENGER LOADING ZONES)
Patios ..... 4.34.2(15)(d)
Showers ..... 4.34.2(12), 4.34.4(2),4.34.5
Shower Enclosures 4.34.5.6
Shower Stalls ..... 4.34.2(12), 4.34.4(2), 4.34.5.5, 4.34.5.6, A4.34.5
Shower Seats ..... 4.34.5.5(2)
Sinks (See SINKS)
Sink Knee Clearance (See KNEE & TOE CLEARANCE)
Sleeping Areas ..... 4.34.2(15)(c)
Spaces ..... 4.34.2(2)
Storage ..... 4.34.2(8)
Structural Reinforcement ..... 4.34.5.2(3), 4.34.5.4(3),4.34.5.5(3)
Terraces ..... 4.34.2(15)(d)
Water Closets 4.34.5.2
Washing Machines 4.34.7.2

EDUCATIONAL OCCUPANCY

Occupancy Classification: Business ..... 4.1.4(5)
Occupancy Classification: Educational ..... 4.1.4(6)

EGRESS (See also ENTRANCES; EXITS)

Accessible Route: Egress 4.3.10
Assembly Areas: Placement of Wheelchairs 4.33.3
Definition of 3.5
Fire Safety A4.3.10
Mercantile: Security Bollards 7.4
Minimum Number: Alterations ..... 4.1.6(4)(f)(i)
Minimum Number: Dwelling Units ..... 4.1.3(2)
Minimum Number: New Construction ..... 4.1.2(7)(d)

ELEMENTS & SPACES (See Specific Element and/or Specific Space)

Accessible Elements & Spaces: Scope & Technical Requirements ..... 4.
Definition of (See Accessible Element, Element, Functional Spaces, Space) 3.5

ELEVATORS (See also CLEARANCES FOR WHEELCHAIRS; SIGNAGE; TACTILE WARNINGS) **4.10, A4.10**

Accessible Routes: Changes in Levels 4.3.8
Audible Signal 4.10.4, 4.10.7, 4.10.13, A4.10.13
Automatic Doors 4.10.6, A4.10.6
Automatic Operation 4.10.2
Car Controls 4.10.11, 4.10.12, A4.10.12
Car Position Indicators 4.10.13, A4.10.13
Control Buttons 4.10.12, A4.10.12
Control Panels 4.10.12, A4.10.12
Door Closers 4.10.6, A4.10.6
Door Delay for Car Calls 4.10.8
Door Protective & Reopening Devices ..... 4.1.6(4)(c)(i), 4.10.6, A4.10.6
Door & Signal Timing for Hall Calls 4.10.7, A4.10.7
Elevator Penthouses ..... 4.1.2(5), 4.1.4(1)
Emergency Alarms (See EMERGENCY WARNING SYSTEMS)
Emergency Communications (See EMERGENCY COMMUNICATION SYSTEMS)
Emergency Communication Controls (See CONTROLS & OPERATING MECHANISMS)
Emergency Controls ..... 4.10.12(3)
Floor Plan of Elevator Cars 4.10.9
Freight Elevators 4.10.1
Hall Call Buttons ..... 4.10.3, 4.10.4(3), 4.10.7, A4.10.7
Hall Lanterns 4.10.4
Hoistway Entrances 4.10.4, 4.10.5
Illumination Levels 4.10.11
Intercommunication Systems (See EMERGENCY COMMUNICATION SYSTEMS)
Location of Car Controls ..... 4.10.12(4)
Minimum Number: Housing ..... 4.1.3(1)
Minimum Number: Alterations ..... 4.1.6(1)(b), (d), (4)(c)
Minimum Number: New Construction ..... 4.1.2(4),(5)
Occupancy Classification: General Exceptions ..... 4.1.4(1)
Raised Characters on Hoistway Entrances 4.10.5
Recessed Characters 4.10.14
Surfaces (See GROUND & FLOOR SURFACES)
Tactile Control Indicators ..... 4.10.12(2)
Visible Signal ..... 4.10.3, 4.10.4,(3), 4.10.12(2), 4.10.13
Visual Control Indicators ..... 4.10.12(2), 4.10.13

EMERGENCY COMMUNICATION SYSTEMS (See also EMERGENCY WARNING SYSTEMS)

Elevator Communication Systems 4.10.14, A4.10.14
Intercommunication Systems 4.10.14

EMERGENCY CONTROLS (See ELEVATORS)

EMERGENCY WARNING SYSTEMS (See also EMERGENCY COMMUNICATION SYSTEMS)

Audible Alarms (See ALARMS)
Auxiliary Alarms (See ALARMS)
Emergency Alarms ..... 4.10.12(3), 4.28.3, A4.28.3
Minimum Number: New Construction ..... 4.1.2(13)
Minimum Requirements: Dwelling Units ..... 4.34.2(10)
Postal Facilities: Emergency Signal 9.1
Tactile Warnings on Doors to Hazardous Areas (See TACTILE WARNINGS)
Visual Alarms (See ALARMS)

EMPLOYEE PARKING (See PARKING & PASSENGER LOADING ZONES)

ENTRANCES **4.14**

Accessible Route: Location ..... 4.3.2(1), (3), (4)
Definition of 3.5
Door Hardware (See CONTROLS & OPERATING MECHANISMS)
Entrances in Dwelling Units (See DWELLING UNITS)
Health Care Entrances ..... 6.2, 6.3(1)
Historic Preservation: Applicability ..... 4.1.7(1)(b)
Minimum Number: Accessible Housing ..... 4.1.3(2)
Minimum Number: Additions ..... 4.1.5(1), (2)

ENTRANCES (CONTINUED)

Minimum Number: Alterations ..... 4.1.6(3)(b)
Minimum Number: Historic Preservation ..... 4.1.7(2)(a), (b), (d)
Minimum Number: New Construction ..... 4.1.2(1), (7)(a), (8)
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(1), (7)(c)
Occupancy Classification: Military Housing ..... 4.1.4(3)
Parking & Passenger Loading Zones (See PARKING & PASSENGER LOADING ZONES)
Revolving Doors & Turnstiles (See DOORS)
Service Entrances 3.5, 4.14.2

EQUIPMENT CATWALKS

Minimum Number: New Construction ..... 4.1.2(5)
Occupancy Classification: General Exceptions ..... 4.1.4(1)

EQUIPMENT FOR HEARING IMPAIRED (See HEARING IMPAIRED)

ESSENTIAL FEATURES

Definition of 3.5
Minimum Number: Alterations ..... 4.1.6(1)(a)

EXCEPTIONS

Assembly Areas: Placement of Wheelchair Locations 4.33.3
Bathrooms, Bathing Facilities & Shower Rooms: Clear Floor Space 4.23.3
Dwelling Units: Doors ..... 4.34.2(6)
Dwelling Units: Kitchen Clearances 4.34.6.1
Highest Operable Part of Controls 4.27.3
Minimum Number: Accessible Housing: Entrances ..... 4.1.3(2)
Minimum Number: Additions: Elements & Spaces ..... 4.1.5(4)
Minimum Number: Alterations: Mechanical Rooms ..... 4.1.6(g)
Minimum Number: Alterations: Structurally Impracticable ..... 4.1.6(2), (3), (d)
Minimum Number: Alterations: Toilet Rooms ..... 4.1.6(4)(e)
Minimum Number: Alterations: Vertical Access ..... 4.1.6(1)(b)
Minimum Number: Historic Preservation: Entrances ..... 4.1.7(2)(b)
Minimum Number: Historic Preservation: Slope of Ramps ..... 4.1.7(2)(a)
Minimum Number: New Construction: Egress ..... 4.1.2(7)
Minimum Number: New Construction: Elevators ..... 4.1.2(5)
Minimum Number: New Construction: Temporary Information ..... 4.1.2(15)
Minimum Number: New Construction: Telephone Reach Range ..... 4.1.2(16)
Minimum Number: Sites & Exterior Facilities: Parking Spaces ..... 4.1.1(5)(a)
Minimum Number: Sites & Exterior Facilities: Toilet Facilities ..... 4.1.1(6)
Occupancy Classification: General Exceptions ..... 4.1.4(1)
Parking Spaces 4.6.3
Shower Stalls: Shower Spray Unit 4.21.6
Toilet Rooms: Clear Floor Space 4.22.3
Toilet Stalls 4.17.3
Visual Alarms ..... 4.28.3(1), (2)

EXITS (See also EGRESS)

Dwelling Units: Exits (See DWELLING UNITS)
Minimum Number: New Construction ..... 4.1.2(8)
Doors to Hazardous Areas (See TACTILE WARNINGS)

EXTERIOR (See also SITES & EXTERIOR FACILITIES)

Accessible Route: Location ..... 4.3.2(4)
Definition of (See Accessible Route, Circulation Path, Common Use, Public Use, Walk) 3.5
Finding Locations of Buildings A4.30.1
Historic Preservation: Applicability ..... 4.1.7(1)(b)

EXTERIOR HINGED OR SLIDING DOORS (See DOORS)

EXTRAORDINARY REPAIR

Definition of 3.5

FACILITY (See also Specific Occupancy Classification)

Definition of 3.5

FACTORY INDUSTRIAL OCCUPANCY

Occupancy Classification: Factory Industrial ..... 4.1.4(7)
Service Entrances (See ENTRANCES)

FAUCETS (See also BATHROOMS, BATHING FACILITIES & SHOWER ROOMS)

Bathtubs 4.20.5
Bathtubs in Dwelling Units ..... 4.34.5.4(4)
Lavatories & Mirrors 4.19.5
Shower Stalls 4.21.5
Showers in Dwelling Units ..... 4.34.5.5(4)
Sinks 4.24.7
Sinks in Dwelling Units (See SINKS)

FIRE DOORS (See DOORS)

FIXED OR BUILT-IN SEATING

Assembly Areas: Placement of Wheelchair Locations 4.33.3
Assembly Areas: Placement of Listening Systems 4.33.6
Library Seating & Tables 8.2
Minimum Number: New Construction ..... 4.1.2(17)
Restaurants & Cafeterias 5.1
Telephones: Clear Floor or Ground Space 4.31.2

FIXTURES

Clear Floor Space 4.22.3, 4.23.3, 4.34.5.1
Hall Lantern Fixtures (See ELEVATORS)
Lavatories & Mirrors (See LAVATORIES & MIRRORS)

FLOOR SURFACES (See GROUND & FLOOR SURFACES)

FLUSH CONTROLS (See CONTROLS)

FOOD SERVICE LINES (See RESTAURANTS & CAFETERIAS)

FORWARD APPROACH (See REACH RANGES)

FREE STANDING OBJECTS

Drinking Fountains & Water Coolers ..... 4.15.5(2)
Protruding Objects 4.4.1

FREEZERS (See KITCHENS)

FULL & FAIR CASH VALUE

Definition of 3.5
Minimum Number: Alterations ..... 4.1.6(3)(d)

FUNCTIONAL SPACE

Definition of 3.5

GATES

Accessible Gates 4.13.3
Check-out Areas (See LIBRARIES)
Revolving Doors & Turnstiles (See DOORS)
Wheelchair Passage Width ..... A4.2.1(1)

GARAGES (See also PARKING & PASSENGER LOADING ZONES)

Service Entrances (See ENTRANCES)
Dwelling Units: Minimum Requirements ..... 4.34.2(15)(d)
Occupancy Classification: Utility & Miscellaneous ..... 4.1.4(13)
Parking Spaces in Garages A4.6.3

GRAB BARS (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)

GRATINGS (See GROUND & FLOOR SURFACES)

GRIPPING SURFACES (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)

GROUND & FLOOR SURFACES **4.5, A4.5**

Accessible Route: Surface Textures 4.3.6
Assembly Areas: Surfaces 4.33.4
Carpet (See CARPET)
Changes in Levels 4.5.2
Clear Floor or Ground Space for Wheelchairs 4.2.4.3
Curb Ramp Surfaces 4.7.4
Dwelling Units: Minimum Requirements ..... 4.34.2(2)

GROUND & FLOOR SURFACES (CONTINUED)
Elevators: Floor Surfaces ... 4.10.10
Gratings ... 4.5.4
Minimum Number: New Construction ... 4.1.2(3)
Minimum Number: Sites & Exterior Facilities ... 4.1.1(4)
Outdoor Ramp Conditions ... 4.8.8
Outdoor Stairs Conditions ... 4.9.6
Street & Sidewalk Surfaces ... 4.5.1, 4.5.4

HALL CALL BUTTONS & LANTERNS (See ELEVATORS)

HAND-HELD SHOWER UNITS (See SHOWER SPRAY UNITS)

HANDRAILS, GRAB BARS & TUB & SHOWER SEATS ... 4.26, A4.26
Adaptable Bathrooms ... 4.34.3, 4.34.4(2), 4.34.5, 4.34.5.2(3), 4.34.5.4(3), 4.34.5.5(3), A4.34.5
Bathtub Grab Bars & Seats ... 4.20.3, 4.20.4
Bathtubs in Dwelling Units: Seats & Grab Bars ... 4.34.5.4(2), (3)
Eliminating Hazards ... 4.26.4
Gripping Surfaces ... 4.8.5(4), 4.9.4(4), (5), 4.17.6, 4.26.2
Handrails at Ramps ... 4.8.5, A4.8.5
Handrails for Stairs ... 4.9.4, A4.8.5
Minimum Number: Alterations ... 4.1.6(4)(b)
Minimum Number: Dwelling Units ... 4.34.2(12), 4.34.5, 4.34.5.2(3), 4.34.5.4, 4.34.5.5
Minimum Number: Grab Bars ... 4.16.1, 4.16.4, 4.17.1, 4.17.6, 4.20.1, 4.20.4, 4.21.1, 4.21.4
Minimum Number: Handrails ... 4.8.1, 4.8.5, 4.9.1, 4.9.4
Minimum Number: Shower Seats ... 4.20.1, 4.20.3, 4.21.1, 4.21.3
Post Office Lobby Handrails ... 9.2(2)
Shower Stalls: Seats & Grab Bars ... 4.21.3, 4.21.4
Showers in Dwelling Units ... 4.34.5.5(2), (3)
Size & Spacing of Grab Bars & Handrails ... 4.26.2, A4.26.2
Structural Strength ... 4.26.3
Toilet Stalls: Grab Bars ... 4.17.6
Water Closet Grab Bars ... 4.16.4, A4.16.4
Water Closets in Dwelling Units: Grab Bars ... 4.34.5.2(3)

HARDWARE (See CONTROLS & OPERATING MECHANISMS)

HAZARDOUS AREAS (See TACTILE WARNINGS)

HAZARDOUS VEHICULAR AREAS (See TACTILE WARNINGS)

HAZARDOUS OCCUPANCY
Occupancy Classification: Factory Industrial ... 4.1.4(7)
Occupancy Classification: Hazardous ... 4.1.4(8)
Occupancy Classification: Storage ... 4.1.4(12)

HEAD ROOM
Accessible Route ... 4.3.5
Protruding Objects ... 4.4.2

HEALTH CARE ... 6.
Doors to Patient Bedrooms (See DOORS)
Entrances (See ENTRANCES)
Entry Doors to Acute Care Hospital Rooms (See DOORS)
Hospitals ... 4.1.4(9)(b), 4.13.6
Long-term Care Facilities ... 4.1.4(9)
Minimum Number: New Construction ... 4.1.2(13)
Minimum Number: Sites & Exterior Facilities ... 4.1.1(5)(e)
Occupancy Classification: Business ... 4.1.4(5)
Occupancy Classification: Institutional ... 4.1.4(9), (a), (b)
Outpatient Facilities ... 4.1.1(5)(e), 4.1.4(5), (9)(b)
Patient Bedrooms ... 6.3
Patient Toilet Rooms ... 6.4

HEARING IMPAIRED
Auxiliary Alarms (See ALARMS)
Dwelling Unit: Consumer Information ... 4.34.4(3), (4)
Equipment for Hearing Impaired ... 4.28.2, 4.28.3, 4.28.4, 4.31.5, 4.34.4(3), (4), A4.31.5
Listening Systems (See LISTENING SYSTEMS)
Minimum Number: New Construction ... 4.1.2(16)(b), (18)(b)

HEARING IMPAIRED (CONTINUED)
Telephones 4.31.5, A4.31.5
Visual Alarms (See ALARMS)

HINGED DOOR (See DOORS)

HISTORIC PRESERVATION **4.17**

HOSPITALS (See HEALTH CARE)

HOUSING (See also DWELLING UNITS)
Definition of 3.5
Minimum Number: Additions (Reserved) ..... 4.1.5(5)
Minimum Number: Housing 4.1.3
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(5)(d)
Occupancy Classification: Military Exclusions ..... 4.1.4(2)(a)
Occupancy Classification: Military Housing ..... 4.1.4(3)
Occupancy Classification: Residential ..... 4.1.4(11)

ILLUMINATION LEVELS (See ELEVATORS; SIGNAGE)

INCISED & INDENTED CHARACTERS (See SIGNAGE)

INSTITUTIONAL OCCUPANCY
Occupancy Classification: Institutional ..... 4.1.4(9)
Occupancy Classification: Residental ..... 4.1.4(11)

INTERCOMMUNICATION SYSTEMS (See EMERGENCY COMMUNICATION SYSTEMS)

INTERNATIONAL SYMBOL OF ACCESSIBILITY
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(7)
Parking & Passenger Loading Zones: Signage (See PARKING & PASSENGER LOADING ZONES)
Symbol of Accessibility 4.30.5

INTERSECTIONS (See CURB RAMPS)

INTERIOR HINGED DOORS (See DOORS)

INTERIOR SIGNAGE MOUNTING HEIGHT & LOCATIONS (See SIGNAGE)

JAILS (See CORRECTIONAL FACILITIES)

KITCHENS (See also DWELLING UNITS) **4.34.6, A4.34.6**
Adaptable Features: Consumer Information ..... 4.34.4(1), (3), (4)
Base Cabinets ..... 4.34.6(1),(3),(4), 4.34.6.1, 4.34.6.4(2), 4.34.6.10(2), A4.34.6.5(5), A4.34.6.10
Cabinets ..... 4.34.2(8), 4.34.4(1),(3),(4), 4.34.6.10
Clear Floor Space 4.34.6.2
Clearance 4.34.6.1, A4.34.6.1
Controls (See CONTROLS & OPERATING MECHANISMS)
Counter Work Surfaces 4.34.6.4
Dishwashers 4.34.6.2, 4.34.6.9
Height of Work Surfaces ..... 4.34.4(1), (4), 4.34.6.4, (1)
Kitchen Storage 4.34.6.10, (1), (2), A4.34.6.10
Minimum Requirements ..... 4.34.2(13), 4.34.6
Ovens 4.34.6.6, 4.34.6.7, A4.34.6.7
Ranges/Cooktops 4.34.6.2, 4.34.6.6, A4.34.6.6
Refrigerator/Freezers ..... 4.34.6.2, 4.34.6.8, (1),(2), A4.34.6.8
Sinks (See SINKS)

KITCHEN STORAGE (See KITCHENS)

KNEE & TOE CLEARANCES
Clear Knee Space 4.2.4.1, 4.15.5, (1)
Drinking Fountains: Knee Clearance ..... 4.15.5(1)
Lavatories & Mirrors 4.19.2
Seating, Tables & Work Surfaces 4.32.2, 4.32.3
Sinks: Knee Clearance 4.24.3
Sinks: Knee Clearance in Dwelling Units ..... 4.34.6.5(7), A4.34.6.5
Toilet Stalls: Toe Clearance 4.17.4

KNURLING (See TACTILE WARNINGS)

LANDINGS (See RAMPS)

LAUNDRY FACILITIES (See DWELLING UNITS)

LAVATORIES & MIRRORS **4.19, A4.19**

Adaptability: Consumer Information ..... 4.34.4(1)
Built-in Lavatories 4.19.1
Bathrooms, Bathing Facilities & Shower Rooms: Clear Floor Space 4.23.3
Clear Floor Space 4.19.3
Dwelling Units: Lavatory, Mirrors & Medicine Cabinets 4.34.5.3
Exposed Pipes & Surfaces 4.19.4
Faucets (See FAUCETS)
Height & Clearances 4.19.2
Knee & Toe Clearances (See KNEE & TOE CLEARANCES)
Lavatory Fixtures 4.19.5, 4.22.3, 4.23.3
Lavatory Height 4.19.2
Lavatory Vanities 4.19.1
Minimum Number: Alterations ..... 4.1.6(4)(e)
Minimum Number: Lavatories & Mirrors 4.19.1, 4.22.6, 4.23.6
Minimum Requirements: Dwelling Units ..... 4.34.2(12)
Mirrors ..... 4.1.4(12), 4.19.6, A4.19.6
Toilet Rooms 4.22.6

LIBRARIES ..... **8.**

Card Catalogs 8.4
Check out Areas 8.3
Minimum Number 8.1, 8.2
Public Toilet Rooms (See TOILET ROOMS)
Occupancy Classification: Assembly ..... 4.1.4(4)
Reading & Study Areas 8.1.2
Stacks 8.1, 8.4, 8.5

LIFTS (See PLATFORM LIFTS)

LISTENING SYSTEMS (See also AUDIO-AMPLIFICATION SYSTEMS)

Minimum Number: New Construction ..... 4.1.2(18)(b)
Placement of Listening Systems 4.33.6, A4.33.6
Types of Listening Systems 4.33.7, A4.33.7

LIVING ROOMS (See DWELLING UNITS)

LOCKER ROOMS (See PERFORMING AREAS; POSTAL FACILITIES)

LONG-TERM CARE FACILITIES (See HEALTH CARE)

MANEUVERING CLEARANCES AT DOORS (See DOORS)

MARKED CROSSINGS (See CURB RAMPS)

MECHANICAL ROOMS

Minimum Number: Additions ..... 4.1.5(4)
Minimum Number: Alterations ..... 4.1.6(1)(g)
Minimum Number: New Construction ..... 4.1.2(5)
Occupancy Classification: General Exceptions ..... 4.1.4(1)

MEDICINE CABINETS (See BATHROOMS, BATHING FACILITIES & SHOWER ROOMS; DWELLING UNITS)

MEETING ROOMS (See ASSEMBLY AREAS)

MERCANTILE ..... **7.**

Check out Aisles 7.3
Minimum Number: New Construction 7.1
Occupancy Classification: Mercantile ..... 4.1.4(10)
Security Bollards (See EGRESS)
Service Counters 7.2

MERCANTILE OCCUPANCY ..... 4.1.4(10)

MILITARY

Occupancy Classification: Military Exclusions ..... 4.1.4(2), (a), (b), (c)
Occupancy Classification: Military Housing ..... 4.1.4(3)

MINIMUM NUMBER (See also MINIMUM REQUIREMENTS) 4.1

Minimum Number: Additions 4.1.5
Minimum Number: Alterations 4.1.6
Minimum Number: Bathing & Shower Facilities 4.23.8
Minimum Number: Controls & Dispensers 4.22.7, 4.23.7
Minimum Number: Historic Preservation 4.1.7
Minimum Number: Housing 4.1.3
Minimum Number: Lavatories & Mirrors 4.22.6, 4.23.6
Minimum Number: Medicine Cabinets 4.23.9
Minimum Number: New Construction 4.1.2
Minimum Number: Sites & Exterior Facilities 4.1.1
Minimum Number: Urinals 4.22.5, 4.23.5
Minimum Number: Water Closets 4.22.4, 4.23.4

MINIMUM REQUIREMENTS (See DWELLING UNITS; KITCHENS)

MIRRORS (See LAVATORIES & MIRRORS)

MULTI-STORY BUILDING

Minimum Number: New Construction ..... 4.1.2(5)

NEW CONSTRUCTION

Minimum Number: New Construction 4.1.2
Minimum Number: Sites & Exterior Facilities 4.1.1
Minimum Slope of Ramps: New Construction 4.8.2

NOSINGS (See STAIRS)

OCCUPANCY CLASSIFICATIONS (See also Specific Classification) 4.1.4

OUTDOOR RAMPS (See RAMPS)

OUTDOOR STAIRS (See STAIRS)

OUTPATIENT FACILITIES (See HEALTH CARE)

OVENS (See KITCHENS)

PARALLEL APPROACH (See REACH RANGES)

PARKING & PASSENGER LOADING ZONES 4.6, A4.6

Accessible Route Locations ..... 4.3.2(1)
Employee Parking: Minimum Number ..... 4.1.1(5)(a), (e), (1), (3)
Entrances 4.6.2, 4.6.3, 4.14.1
Health Care 6.2
Historic Preservation: Applicability ..... 4.1.7(1)(b)
Libraries 8.1
Location 4.6.2
Minimum Number: Alterations: ..... 4.1.6(3)(d)(i)
Minimum Number: New Construction ..... 4.1.2(8)
Minimum Number: Sites & Exterior Facilities: ..... 4.1.1(1), (5)
Minimum Requirements: Parking in Dwelling Units ..... 4.34.2(4)
Occupancy Classification: Military Exclusions: Parking ..... 4.1.4(2)(c)
Occupancy Classification: Military Housing: Parking ..... 4.1.4(3)
Parking Lots: Minimum Number ..... 4.1.1(5)(a)
Parking Spaces ..... 4.1.1(1), (7)(a), 4.6.3, A4.6.3
Parking Spaces: Minimum Number ..... 4.1.1, (5)(a), (c), (d), (i)(ii), (e), (i)(ii)(iii), 7(a)
Passenger Loading Zones ..... 4.1.1(1), (7)(b), 4.6.5
Passenger Loading Zones: Minimum Number ..... 4.1.1(5)(b)
Signage 4.6.4
Vertical Clearance 4.6.6
Visitor Parking: Minimum Number ..... 4.1.1(5)(a), (d)(3), (e)

PASSING SPACE (See CLEARANCES FOR WHEELCHAIRS)

PATIENT BEDROOMS (See HEALTH CARE)

PATIOS (See DWELLING UNITS)

PERFORMING AREAS

Access to Performing Arts 4.33.5
Dressing Rooms 4.33.5

MINIMUM NUMBER (See also MINIMUM REQUIREMENTS) **4.1**
Minimum Number: Additions 4.1.5
Minimum Number: Alterations 4.1.6
Minimum Number: Bathing & Shower Facilities 4.23.8
Minimum Number: Controls & Dispensers 4.22.7, 4.23.7
Minimum Number: Historic Preservation 4.1.7
Minimum Number: Housing 4.1.3
Minimum Number: Lavatories & Mirrors 4.22.6, 4.23.6
Minimum Number: Medicine Cabinets 4.23.9
Minimum Number: New Construction 4.1.2
Minimum Number: Sites & Exterior Facilities 4.1.1
Minimum Number: Urinals 4.22.5, 4.23.5
Minimum Number: Water Closets 4.22.4, 4.23.4

MINIMUM REQUIREMENTS (See DWELLING UNITS; KITCHENS)

MIRRORS (See LAVATORIES & MIRRORS)

MULTI-STORY BUILDING
Minimum Number: New Construction ..... 4.1.2(5)

NEW CONSTRUCTION
Minimum Number: New Construction 4.1.2
Minimum Number: Sites & Exterior Facilities 4.1.1
Minimum Slope of Ramps: New Construction 4.8.2

NOSINGS (See STAIRS)

OCCUPANCY CLASSIFICATIONS (See also Specific Classification) **4.1.4**

OUTDOOR RAMPS (See RAMPS)

OUTDOOR STAIRS (See STAIRS)

OUTPATIENT FACILITIES (See HEALTH CARE)

OVENS (See KITCHENS)

PARALLEL APPROACH (See REACH RANGES)

PARKING & PASSENGER LOADING ZONES **4.6, A4.6**
Accessible Route Locations ..... 4.3.2(1)
Employee Parking: Minimum Number ..... 4.1.1(5)(a), (e), (1), (3)
Entrances 4.6.2, 4.6.3, 4.14.1
Health Care 6.2
Historic Preservation: Applicability ..... 4.1.7(1)(b)
Libraries 8.1
Location 4.6.2
Minimum Number: Alterations: ..... 4.1.6(3)(d)(i)
Minimum Number: New Construction ..... 4.1.2(8)
Minimum Number: Sites & Exterior Facilities: ..... 4.1.1(1), (5)
Minimum Requirements: Parking in Dwelling Units ..... 4.34.2(4)
Occupancy Classification: Military Exclusions: Parking ..... 4.1.4(2)(c)
Occupancy Classification: Military Housing: Parking ..... 4.1.4(3)
Parking Lots: Minimum Number ..... 4.1.1(5)(a)
Parking Spaces ..... 4.1.1(1), (7)(a), 4.6.3, A4.6.3
Parking Spaces: Minimum Number ..... 4.1.1, (5)(a), (c), (d), (i)(ii), (e), (i)(ii)(iii), 7(a)
Passenger Loading Zones ..... 4.1.1(1), (7)(b), 4.6.5
Passenger Loading Zones: Minimum Number ..... 4.1.1(5)(b)
Signage 4.6.4
Vertical Clearance 4.6.6
Visitor Parking: Minimum Number ..... 4.1.1(5)(a), (d)(3), (e)

PASSING SPACE (See CLEARANCES FOR WHEELCHAIRS)

PATIENT BEDROOMS (See HEALTH CARE)

PATIOS (See DWELLING UNITS)

PERFORMING AREAS
Access to Performing Arts 4.33.5
Dressing Rooms 4.33.5

READING & STUDY AREAS (See LIBRARIES)

RECESSED CHARACTERS (See ELEVATORS)

REFLECTING POOLS (See TACTILE WARNINGS)

REFRIGERATOR/FREEZERS (See KITCHENS)

RESIDENTIAL OCCUPANCY ..... 4.1.4(11)

RESTAURANTS/CAFETERIAS ..... 5.

Displays (See DISPLAYS)
Food Service Lines 5.2
Minimum Number 5.1
Occupancy Classification: Assembly ..... 4.1.4(4)
Tableware Areas 5.3
Vending Machines 5.4

REVOLVING DOORS & TURNSTILES (See DOORS)

RISE (See RAMPS)

RUNNING SLOPE (See RAMPS)

SEATS (See FIXED OR BUILT-IN SEATING; SEATING, TABLES & WORK SURFACES; HANDRAILS, GRAB BARS, TUB & SHOWER SEATS)

SEATING SPACES (See also FIXED OR BUILT-IN SEATING; SEATING, TABLES & WORK SURFACES)

SEATING, TABLES & WORK SURFACES (See FIXED OR BUILT-IN SEATING) 4.32, A4.32

Bathtub Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Bathtub Seats in Dwelling Units (See DWELLING UNITS)
Counter Work Surfaces in Kitchens (See KITCHENS)
Fixed Seats for Telephones (See TELEPHONES)
Letter Drops, Customer Service Desks, Tables or Counters (See POSTAL FACILITIES)
Height of Work Surfaces 4.32.4, A4.32.4
Knee Clearance (See KNEE & TOE CLEARANCES)
Library Seating & Tables 8.2
Minimum Number: Alterations ..... 4.1.6(3)(d)(vi), (4)(f)(i)
Minimum Number: New Construction ..... 4.1.2(17), (18)
Placement of Wheelchairs in Seating Areas (See ASSEMBLY AREAS)
Ranges & Cooktop Surfaces (See KITCHENS)
Restaurant Seating 5.1
Seating Spaces 4.32.2
Shower Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Shower Seats in Dwelling Units (See DWELLING UNITS)

SECURITY BOLLARDS (See EGRESS)

SELF-SERVICE POSTAL CENTERS (See POSTAL FACILITIES)

SERVICE COUNTERS (See MERCANTILE)

SERVICE ENTRANCES (See ENTRANCES)

SHOWER FACILITIES/SHOWERS (See BATHROOMS, BATHING FACILITIES & SHOWER ROOMS; DWELLING UNITS)

SHOWER SPRAY UNITS

Bathubs: Fixed or Hand-held Shower Units 4.20.6
Dwelling Units: Fixed or Hand-held Shower Units ..... 4.34.5.4(5), 4.34.5.5(5)
Shower Stalls: Fixed or Hand-held Shower Units 4.21.6

SHOWER STALLS 4.21

Controls (See CONTROLS & OPERATING MECHANISMS)
Curbs in Shower Stalls 4.21.7, A4.21.1
Handrails (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Shower Enclosures 4.21.8
Shower Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)

SIDE REACH (See REACH RANGES)

SIDES OF CURB RAMPS (See CURB RAMPS)

SIDEWALKS (See STREETS & SIDEWALKS)

READING & STUDY AREAS (See LIBRARIES)

RECESSED CHARACTERS (See ELEVATORS)

REFLECTING POOLS (See TACTILE WARNINGS)

REFRIGERATOR/FREEZERS (See KITCHENS)

RESIDENTIAL OCCUPANCY ..... 4.1.4(11)

RESTAURANTS/CAFETERIAS ..... **5.**

Displays (See DISPLAYS)
Food Service Lines 5.2
Minimum Number 5.1
Occupancy Classification: Assembly ..... 4.1.4(4)
Tableware Areas 5.3
Vending Machines 5.4

REVOLVING DOORS & TURNSTILES (See DOORS)

RISE (See RAMPS)

RUNNING SLOPE (See RAMPS)

SEATS (See FIXED OR BUILT-IN SEATING; SEATING, TABLES & WORK SURFACES; HANDRAILS, GRAB BARS, TUB & SHOWER SEATS)

SEATING SPACES (See also FIXED OR BUILT-IN SEATING; SEATING, TABLES & WORK SURFACES)

SEATING, TABLES & WORK SURFACES (See FIXED OR BUILT-IN SEATING) **4.32, A4.32**

Bathtub Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Bathtub Seats in Dwelling Units (See DWELLING UNITS)
Counter Work Surfaces in Kitchens (See KITCHENS)
Fixed Seats for Telephones (See TELEPHONES)
Letter Drops, Customer Service Desks, Tables or Counters (See POSTAL FACILITIES)
Height of Work Surfaces 4.32.4, A4.32.4
Knee Clearance (See KNEE & TOE CLEARANCES)
Library Seating & Tables 8.2
Minimum Number: Alterations ..... 4.1.6(3)(d)(vi), (4)(f)(i)
Minimum Number: New Construction ..... 4.1.2(17), (18)
Placement of Wheelchairs in Seating Areas (See ASSEMBLY AREAS)
Ranges & Cooktop Surfaces (See KITCHENS)
Restaurant Seating 5.1
Seating Spaces 4.32.2
Shower Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Shower Seats in Dwelling Units (See DWELLING UNITS)

SECURITY BOLLARDS (See EGRESS)

SELF-SERVICE POSTAL CENTERS (See POSTAL FACILITIES)

SERVICE COUNTERS (See MERCANTILE)

SERVICE ENTRANCES (See ENTRANCES)

SHOWER FACILITIES/SHOWERS (See BATHROOMS, BATHING FACILITIES & SHOWER ROOMS; DWELLING UNITS)

SHOWER SPRAY UNITS

Bathubs: Fixed or Hand-held Shower Units 4.20.6
Dwelling Units: Fixed or Hand-held Shower Units ..... 4.34.5.4(5), 4.34.5.5(5)
Shower Stalls: Fixed or Hand-held Shower Units 4.21.6

SHOWER STALLS **4.21**

Controls (See CONTROLS & OPERATING MECHANISMS)
Curbs in Shower Stalls 4.21.7, A4.21.1
Handrails (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Shower Enclosures 4.21.8
Shower Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)

SIDE REACH (See REACH RANGES)

SIDES OF CURB RAMPS (See CURB RAMPS)

SIDEWALKS (See STREETS & SIDEWALKS)

STORAGE (CONTINUED)

Minimum Number: Additions ..... 4.1.5(4)
Minimum Number: Alterations ..... 4.1.6(3)(d)(iii)
Minimum Number: New Construction ..... 4.1.2(11)
Occupancy Classification: Business ..... 4.1.4(5)
Occupancy Classification: Hazardous ..... 4.1.4(8)
Occupancy Classification: Storage ..... 4.1.4(12)
Storage Cabinets ..... 4.1.2(11), 4.1.4(12), 4.25.1
Storage in Dwelling Units (See DWELLING UNITS)

STORAGE OCCUPANCY ..... 4.1.4(12)

STREETS & SIDEWALKS

Accessible Route: General 4.3.1
Accessible Route: Location ..... 4.3.2(1)
Curb Ramps: Islands 4.7.11
Curb Ramp Transitions 4.7.2
Definition of (See Common Use, Public Use, Vehicular Way, Walk) 3.5
Entrances 4.14.1
Gratings 4.5.4
Minimum Number: New Construction ..... 4.1.2(8)
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(1)
Minimum Requirements: Dwelling Units ..... 4.34.2(1)
Occupancy Classification: Military Housing ..... 4.1.4(3)
Outdoor Conditions 4.8.8, 4.9.6
Tactile Warnings on Walking Surfaces (See TACTILE WARNINGS)
Surfaces (See GROUND & FLOOR SURFACES)
Walks 4.3.4

STROKE WIDTH (See SIGNAGE)

STRUCTURALLY IMPRACTICABLE/STRUCTURAL IMPRACTICABILITY

Definition of 3.5
Minimum Number: Alterations ..... 4.1.5(2),(3), (4)(c)(ii), (e), (f)(I), (ii)
Toilet Stalls: Exception 4.17.3

STRUCTURAL REINFORCEMENT (See DWELLING UNITS)

STRUCTURAL STRENGTH (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)

SURFACE TEXTURES (See TACTILE WARNINGS)

SYMBOL OF ACCESSIBILITY (See INTERNATIONAL SYMBOL OF ACCESSIBILITY)

TABLES (See SEATING, TABLES & WORK SURFACES)

TABLEWARE AREAS (See RESTAURANTS)

TACTILE CONTROL INDICATORS (See ELEVATORS)

TACTILE WARNINGS 4.29

Definition of (See also Tactile) 3.5
Elevators: Tactile & Visual Control Indicators ..... 4.10.12(2)
Knurling 4.29.3
Minimum Number: New Construction ..... 4.1.2(14)
Tactile Warnings at Hazardous Vehicular Areas (Reserved) 4.29.5, A4.29.5
Tactile Warnings at Reflecting Pools (Reserved) 4.29.6
Tactile Warnings at Stairs (Reserved) 4.9.5, 4.29.4
Tactile Warnings on Doors to Hazardous Areas 4.29.3, 4.29.7
Tactile Warnings on Walking Surfaces (Reserved) 4.29.7
Textured Surfaces 4.29.3, 4.29.7
Warning Textures on Curb Ramps (Reserved) 4.7.7

TAXI STANDS

Minimum Number: New Construction ..... 4.1.2(8)

TELEPHONES 4.31

Clear Floor Space 4.31.2
Fixed Seats 4.31.2
Mounting Height of Operable Equipment 4.31.3, A4.31.3
Minimum Number: Alterations ..... 4.1.6(3)(d)(v)

TELEPHONES (CONTINUED)

Minimum Number: New Construction ..... 4.1.2(16)
Occupancy Classification: Business ..... 4.1.4(5)
Occupancy Classification: General Exceptions ..... 4.1.4(1)
Protruding Objects 4.4.1
Public Telephones ..... 4.1.2(16), 4.31.1
Push Button Controls 4.31.1
Telephone Banks ..... 4.1.2(16)(a)
Telephone Books/Directories 4.31.7
Telephone Cord Length 4.31.8
Telephone Cord Length in Elevators 4.10.14
Volume Controls ..... 4.1.2(16) (b), 4.31.5, A4.33.7

TELEPHONE BANKS (See TELEPHONES)

TERRACES (See DWELLING UNITS)

TRAFFIC ISLANDS (See CURB RAMPS)

THRESHOLDS AT DOORWAYS (See DOORS)

TOE CLEARANCE (See KNEE & TOE CLEARANCES)

TOILET FACILITIES (See TOILET ROOMS)

TOILET ROOMS **4.22**

Bathrooms in Dwelling Units (See DWELLING UNITS)
Clear Floor Space 4.22.3
Controls (See CONTROLS & OPERATING MECHANISMS)
Doors (See DOORS)
Employee Toilet Rooms: Postal Facilities 9.1
Historic Preservation: Applicability ..... 4.1.7(1)(b)
Lavatories & Mirrors (See LAVATORIES & MIRRORS)
Minimum Number: Additions ..... 4.1.5(3)
Minimum Number: Alterations ..... 4.1.6(3)(c)(i), (ii), (4)(e)
Minimum Number: Historic Preservation ..... 4.1.7(2)(c)
Minimum Number: New Construction ..... 4.1.2(10)
Minimum Number: Sites & Exterior Facilities ..... 4.1.1(6), (7)
Patient Toilet Rooms (See HEALTH CARE)
Public Toilet Rooms: Libraries 8.1
Unisex Toilets ..... 4.1.6(4)(e), 4.1.7(2)(c)
Urinals (See URINALS)
Water Closets (See WATER CLOSETS)

TOILET STALL (See also DOORS) **4.17, A4.17**

Grab Bars (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Toilet Stall Doors (See DOORS)
Toilet Stalls in Bathrooms, Bathing Facilities & Shower Rooms 4.23.4
Toe Clearance (See KNEE & TOE CLEARANCES)
Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Water Closets in Toilet Stalls 4.16, 4.17.2, 4.22.4

TRANSIT FACILITIES

Minimum Number: Alterations: Transit Facilities ..... 4.1.6(1)(b)
Minimum Number: New Contstruction ..... 4.1.2(8)

TREADS (See STAIRS)

TURNSTILES (See DOORS)

UNCURBED INTERSECTIONS (See CURB RAMPS)

UNOBSTRUCTED TURNING SPACES (See CLEARANCES FOR WHEELCHAIRS)

URINALS **4.18**

Clear Floor Space 4.18.3
Controls (See CONTROLS & OPERATING MECHANISMS)
Height 4.18.2
Minimum Number: Bathrooms, Bathing Facilities & Shower Rooms 4.23.5
Minimum Number: Toilet Rooms 4.22.5
Shields 4.18.3
Urinals in Toilet Rooms 4.22.5

UTILITY & MISCELLANEOUS OCCUPANCY ..... 4.1.4(13)

VANITIES (See LAVATORIES & MIRRORS)

VANS

Parking Spaces ..... 4.1.1(5)(c), 4.6.3, A4.6.3
Vertical Clearance 4.6.6

VEHICULAR AREAS/WAYS

Definition of (See also Marked Crossing, Site Improvement) 3.5
Built-up Curb Ramp Location (See CURB RAMPS)
Tactile Warnings at Hazardous Vehicular Areas (See TACTILE WARNINGS)

VENDING MACHINES (See RESTAURANTS; POSTAL FACILITIES)

VERTICAL ACCESS

Definition of (See Entrance) 3.5
Minimum Number: Alterations ..... 4.1.6(b)
Minimum Number: New Construction ..... 4.1.2(8)
Vertical Access Equipment ..... 4.1.6(b)

VERTICAL CLEARANCE (See PARKING & PASSENGER LOADING ZONES)

VISITOR PARKING (See PARKING & PASSENGER LOADING ZONES)

VISUAL ALARMS (See ALARMS)

VISUAL CONTROL INDICATORS (See ELEVATORS)

VOLUME CONTROLS (See TELEPHONES)

WALKS (See STREETS & SIDEWALKS)

WARNING TEXTURES (See TACTILE WARNINGS)

WASHING MACHINES (See DWELLING UNITS)

WATER CLOSETS 4.16, A4.16

Bathrooms, Bathing Facilities & Shower Rooms with Water Closets 4.23.2, 4.23.4
Clear Floor Space 4.16.2
Controls (See CONTROLS & OPERATING MECHANISMS)
Floor-mounted Water Closets 4.17.3
Grab Bars (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Height of Water Closets 4.16.3, 4.17.3, A4.16.3
Minimum Number: Alterations ..... 4.1.6(4)(e)
Seats (See HANDRAILS, GRAB BARS & TUB & SHOWER SEATS)
Toilet Rooms with Water Closets 4.22.3, 4.22.4
Toilet Stalls with Water Closets 4.17.2, 4.17.3
Wall-mounted Water Closets 4.17.3
Water Closets in Dwelling Units (See DWELLING UNITS)

WHEELCHAIR LIFTS (See PLATFORM LIFTS)

WHEELCHAIR MANEUVERING, PASSING & TURNING CLEARANCES (See CLEARANCES FOR WHEELCHAIRS)

WINDOWS (Reserved) 4.12

WORK SURFACES (See SEATING, TABLES & WORK SURFACES)

27. In the Appendix to the UFAS, the unlabeled figure following and referenced in A4.2.5 & A4.2.6 is amended by adding the designation "Fig. A3(a)."

Dated: November 25, 1985.

Grady J. Norris,

Assistant General Counsel for Regulations.

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Revisions issued March 28, 1989

List of Subjects in 41 CFR Part 101-19

Federal buildings and facilities, Government property management, Handicapped.

Accordingly, Title 41 CFR Part 101-19 is amended as set forth below:

1. The authority citation for 41 CFR Part 101-19 continues to read as follows:

Authority: Sec. 205(c), 63 Stat. 390; 40 U.S.C. 486(c).

2. In 41 CFR Subpart 101-19.6, Appendix A is amended as follows:

1. Section 4.1.1(7) is revised to read as follows:

4.1.1 Accessible Sites and Exterior Facilities:

• • • • •

(7) All signs shall comply with §§ 4.30.1, 4.30.2, and 4.30.3. Elements and spaces of accessible facilities which shall comply with § 4.30.5 and shall be identified by the International Symbol of Accessibility are:

(a) Parking spaces designated as reserved for physically handicapped persons;
(b) passenger loading zones;
(c) accessible entrances;
(d) accessible toilet and bathing facilities.

2. Section 4.1.2(15) is revised to read as follows: The Exception remains unchanged and is not published here.

4.1.2 Accessible Buildings: New Construction.

• • • • •

(15) If signs are provided, they shall comply with §§ 4.30.1, 4.30.2 and 4.30.3. In addition, permanent signage that identifies rooms and spaces shall also comply with §§ 4.30.4 and 4.30.6.

• • • • •

3. Section 4.30.1 is revised to read as follows:

4.30.1 * General. Signage shall comply with § 4.30 as specified in § 4.1.

• • • • •

4. Section 4.30.4 is revised as follows:

4.30.4 * Raised Characters or Symbols. Letters and numbers on signs shall be raised 1/32 in (0.8 mm) minimum and shall be sans serif characters. Raised characters or symbols shall be at least 5/8 in (16 mm) high, but no higher than 2 in (50 mm). Symbols or pictographs on signs shall be raised 1/32 in (0.8 mm) minimum.

Dated: October 3, 1988.

Richard G. Austin,

Acting Administrator of General Services.

[FR Doc. 89-7351 Filed 3-27-89; 8:45 am]

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Appendix D

Section

504

Self-

Evaluation

U. S. Department of Justice
Civil Rights Division
Coordination and Review Section

TECHNICAL ASSISTANCE GUIDE

SUPPLEMENTAL INFORMATION ABOUT SECTION 504 SELF-EVALUATION REQUIREMENTS

TAG-88-12

1. Title

Supplemental Information about Section 504 Self-Evaluation Requirements

2. Purpose

Basic information about section 504 self-evaluation requirements has been provided in an earlier Technical Assistance Guide (TAG) entitled "Section 504 Transition Plan and Self-Evaluation Information".[1] This earlier TAG contains important information essential to understanding the self-evaluation process and agencies are encouraged to carefully review it. The purpose of this TAG is to provide agencies with a Self-Evaluation Review Form that may assist them to organize and carry out self-evaluation efforts for their non-employment programs and activities.[2]

3. Information

The Self-Evaluation Review Form is being provided to agencies as a part of the Department of Justice's ongoing technical assistance effort. Use of the Review Form below does not eliminate the need for a careful review of section 504 regulatory requirements and a thorough knowledge of the agency's programs and activities. Because of the diversity of Federal agency programs and activities and the general nature of the Review Form, use of the Review Form, by itself, does not ensure that all aspects of the agency's programs and activities have been reviewed or reviewed properly. The fact that this form has been provided to agencies by the Department of Justice does not mean that it must be used or that it is the only useful and effective way of evaluating an agency's programs and activities. ***The Review Form is a tool designed to assist agencies develop their own approach to conducting a section 504 self-evaluation and ensuring that individuals with handicaps can participate in all of the agency's programs and activities. The Department does not recommend that agencies use the Review Form without first carefully***

[1] TAG-87-1 is available from the Coordination and Review Section, Civil Rights Division, U.S. Department of Justice, Washington, D.C. 20530 (202) 724-2222 (Voice), (202) 724-7678 (TDD).

[2] Section 501 of the Rehabilitation Act, which is administered by the Equal Employment Opportunity Commission (EEOC), addresses employment discrimination. Federal agencies should refer to the regulation implementing section 501 and the supporting information developed by EEOC for guidance about eliminating discrimination on the basis of handicap in their programs. The regulation implementing section 501 and related information can be obtained from the Equal Employment Opportunity Commission, 1801 "L" Street, NW, Washington, D.C. 20507, (202) 634-6260 (Voice), (202) 634-7057 (TDD).

considering how the section 504 self-evaluation process applies to their own programs and activities.

The form is organized into General Instructions and the topical areas listed below. As indicated, the Department of Justice has additional information available relevant to several of the areas to be reviewed.[3]

1. Agency Personnel Responsible for the Section 504 Self-Evaluation Process
2. Notification
3. Policies that Limit the Participation of Individuals with Handicaps in Agency Programs and Activities
4. Information and Training for Staff
5. Complaints
6. Use of Contractors
7. Accessibility of New and Newly Acquired Facilities (see TAG's-86-2, 87-5, 88-8)
8. Transportation
9. Decisions about Undue Financial and Administrative Burdens
10. Telephone Communication (see TAG's-84-2, 86-2, 87-2, 88-2)
11. Documents and Publications (see TAG's-84-3, 85-1, 85-3, 88-6)
12. Interpreters (see TAG's-84-1, 85-1)
13. Readers and Amanuenses (see TAG's-85-1, 88-1)
14. Assistive Listening Devices (see TAG's-85-1, 85-2)

[3] Copies of the TAG's cited are available from the Coordination and Review Section, Civil Rights Division, U.S. Department of Justice, Washington, D.C. 20530 (202) 724-2222 (Voice), (202) 724-7678 (TDD).

15. Audio-Visual Presentations (see TAG's-84-4, 87-4, 88-7)

16. Automated Electronic Equipment (see TAG-87-3)

17. Emergency Evacuation

18. Participation of Individuals with Handicaps in the Self-Evaluation Process (see TAG-88-9)

4. Availability in Alternate Formats

This document is available, on request, from the Coordination and Review Section (see address below) in the following formats.

- Audiotape
- Large Print
- Braille
- Computer Disk

5. Resources

A list of resources has been compiled and can be obtained by contacting:

Coordination and Review Section
Civil Rights Division
U.S. Department of Justice
Washington, D.C. 20530
(202) 724-2222 (Voice)
(202) 724-7678 (TDD)

SELF-EVALUATION REVIEW FORM
GENERAL INSTRUCTIONS

1. ***List all of the programs and activities conducted by the agency and provide a concise description of each.*** (For a discussion of what programs and activities should be reviewed, see TAG 5-87-1) Each description should explain the purpose of the program or activity and provide information on the following items, among others, when appropriate.

   - ➤ How non-employees participate in the program.
   - ➤ What role publications and other Government documents play in the program.
   - ➤ What role telephone access plays in the program.
   - ➤ What function meetings, hearings, training sessions, and other forms of assembly play in the program.
   - ➤ What the role of television, video, and other audio-visual presentations is in the program.
   - ➤ How the agency notifies the public about the program.
   - ➤ What the role of contractors is in the agency's programs.
   - ➤ What the role of transportation services is in the program.
   - ➤ What role reading rooms, libraries, or similar facilities have in the program.
   - ➤ What role automated equipment plays in the program.

2. ***Collect and document the policies and practices that govern the administration of each of the agency's programs and activities.*** An agency's policies may be in the form of written policies, manuals, policy directives, administrative directives, guidance memoranda, and unwritten policies. Whether this compilation is done for each program and activity individually or for the program as a whole depends on the number and complexity of the programs and activities. For purposes of this TAG, the Review Form is designed to address each program and activity separately. Agencies are encouraged to tailor the form to their own needs.

3. ***Analyze how the agency's policies and practices, or lack of such, affect or might affect individuals with handicaps.*** The information gathered about the agency's programs and activities in step one above should help identify some of those aspects of program operation to be examined. The overall goal is to determine what conditions must be present for individuals with different kinds of handicaps to participate fully in the agency's programs and activities. In this analysis the agency must take into account the fact that discrimination can happen not only as a result of what is in its policies but also as a result of what is not in its policies.

4. ***Make and document changes and additions to agency policy.***

5. ***Obtain comments on the draft self-evaluation from individuals with handicaps and other interested persons.***

SELF-EVALUATION REVIEW FORM

Agency name:

Agency program:

Location of program:

Brief description of program:

1. ***Agency Personnel Responsible for Section 504 Self-Evaluation***

   ✍ Identify agency personnel and the agency unit(s) responsible for conducting the self-evaluation.

2. ***Notification***

   ✍ Describe how the agency notifies the public about its nondiscrimination policies and what special procedures are used for individuals with handicaps.

✍ Describe the existing written policy and how it has been communicated to all appropriate program staff.

✍ Describe the policy that needs to be established.

✍ Describe how the agency notifies the public and other interested parties that agency meetings, hearings, and conferences will be held in accessible locations and that auxiliary aids will be provided, upon request, to participants with handicaps.

✍ List the appropriate documents to include policy statements about nondiscrimination.

✍ List the appropriate unit in the agency to establish such a policy.

✍ Give the date that the policy was established and distributed to staff and a citation for the policy.

3. ***Policies that Limit the Participation of Individuals with Handicaps in Agency Programs and Activities***

✍ List all sources of policies (including statutes, regulations, and subregulatory sources such as policy directives and guidance memoranda, manuals and other guidelines) that govern the administration of the agency's programs.

✍ List agency program eligibility and admission criteria or licensing standards and procedures that establish standards for Federal and non-Federal programs and activities. Particular attention should be paid to policies incorporating or establishing:

- physical or mental fitness or performance requirements;
- safety standards;
- testing requirements;
- educational requirements;
- work experience requirements;
- income level requirements;
- credit rating requirements;
- requirements based on disability;
- requirements that prohibit participation because of disability; and
- insurability requirements.

Policies concerning these areas may have the effect of limiting or excluding the participation of persons with handicaps in programs and activities and should therefore be the subject of close scrutiny.

✍ Describe how these policies were examined to determine if they had the purpose or effect of excluding or limiting the participation of individuals with handicaps in programs and activities.

✍ List the policies and practices that have the direct or indirect effect of excluding or limiting the participation of individuals with handicaps in agency programs and activities.

✍ List any such policies that will be altered or eliminated.

✍ Describe how these changes were communicated to agency staff and the public.

✍ List any such policies that will be retained by the agency.

✍ Describe how the agency determined that the retention of such policies was justified.

4. *Information and Training for Staff*

✍ What staff members need to be aware of the agency's obligations under section 504 and agency policies designed to enable persons with handicaps to participate in agency programs and activities?

✍ List steps to be taken to ensure that staff fully understand agency policy of nondiscrimination on the basis of handicap and can take all appropriate steps to facilitate the participation of individuals with handicaps in agency programs and activities.

✍ List agency unit(s) responsible for taking the steps indicated above.

5. *Complaints*

✍ Identify the agency unit responsible for receiving and processing complaints.

✍ Describe the process by which complaints are processed.

✍ Describe the ways in which the agency notifies staff and program participants about the complaint process.

✍ Indicate the appropriate policy source to include information about complaints.

✍ Give a date the policy was established and distributed to staff and give a citation for the policy.

6. *Use of Contractors*

✍ List contractors that are used by the agency to conduct programs or activities on behalf of the agency.

✍ Describe steps that have been taken to ensure that agency procurement officials understand section 504 requirements as they apply to contractors.

✍ Provide language included in agency contracts to ensure that contractors are aware of their obligations to take steps to facilitate the participation of individuals with handicaps in programs and activities they operate on behalf of the agency.

✍ Indicate the appropriate policy source to include information about section 504 requirements as they apply to contractors.

✍ Give a date that the policy was established and distributed to staff and give a citation for the policy.

7. *Accessibility of New and Newly Acquired Facilities*

✍ List the steps taken to ensure that all future construction and renovation work will be carried out in accordance with UFAS.

✍ Describe the steps taken to ensure that all newly acquired space in existing facilities is accessible.

✍ Identify the agency unit responsible for taking these steps.

✍ Indicate the appropriate policy source to include information about new and newly acquired buildings.

✍ Give the date the policy was established and distributed to staff and contractors and give a citation for the policy.

8. *Transportation*

✍ Describe any transportation programs in which the agency is involved.

✍ Describe the steps that have been taken to ensure that these programs are accessible to individuals with handicaps.

✍ Indicate the agency unit responsible for transportation policy.

✍ Identify the appropriate policy source to include information on transportation.

✍ Give the date the policy was established and distributed to staff and give a citation for the policy.

9. *Decisions about Undue Financial and Administrative Burdens*

✍ Identify the individual responsible for making the final decision about undue financial and administrative burdens.

✍ Describe the agency's procedure for ensuring that such decisions are made properly and expeditiously.

✍ Indicate the appropriate policy source to include information about undue financial and administrative burdens.

✍ Give the date the policy was established and distributed to staff and give a citation for the policy.

10. ***Telephone Communication***

✍ Describe the means the agency has for communicating effectively over the telephone with hearing-impaired persons.

✍ List the location and telephone numbers of telecommunication devices for the deaf (TDD's) that the agency has installed to facilitate communication with hearing-impaired persons.

✍ Indicate in what agency, commercial telephone, or TDD directories the TDD numbers have been listed.

✍ Describe the arrangements the agency has made with any TDD relay services to facilitate communication with hearing-impaired persons.

✍ If the agency uses "800" incoming WATS telephone service in its program, indicate what steps have been taken to ensure that this service is usable by persons with hearing impairments.

✍ Describe the steps that have been taken to ensure that the agency's documents published in the *Federal Register* list a TDD number.

✍ What steps have been taken to familiarize appropriate staff with the operation of TDD's and other effective means of communicating over the telephone with hearing-impaired persons?

✍ What agency unit is responsible for ensuring that telephone communication is accessible?

✍ Indicate what policy source includes information on telephone communication accessibility.

✍ Give the date the policy was established and distributed to staff and give a citation for the policy.

11. ***Documents and Publications***

✍ List all agency publications and documents that are available to the public.

✍ Describe the policy that determines which documents are made available in alternate formats (audiotape, large print, Braille, computer disk, etc.) and which are not.

✍ Describe agency policy affecting portrayal of individuals with handicaps in publications.

✍ What procedures have been established to ensure that documents can be put in alternate formats?

✍ What agency unit is responsible for making documents and publications available in alternate formats?

✍ Indicate what policy source includes information on making agency documents and publications available in alternate formats.

✍ Give the date that the policy was established and distributed to staff and give a citation for the policy.

12. ***Interpreters***

✍ List all agency activities where a sign language and/or oral interpreter might be needed to ensure that persons with hearing impairments can fully participate.

✍ Describe the process by which the agency secures the services of interpreters.

✍ Indicate how the agency ensures that interpreters are provided in an expeditious manner at meetings, interviews, conferences, public appearances by agency officials, and hearings.

✍ Describe how the agency ensures that its use of interpreters results in effective communication.

✍ What agency unit is responsible for making interpreters available in agency programs and activities?

✍ Indicate what policy source includes information on providing interpreters.

✍ Give the date that the policy was established and distributed to staff and give a citation for the policy.

13. ***Readers and Amanuenses***

✍ List all agency programs and activities where readers for persons with vision impairments and amanuenses for persons with manual impairments might be needed to ensure that such individuals can participate fully in the program or activity.

✍ Describe the process by which the agency secures the services of readers and amanuenses.

✍ Indicate how the agency ensures that readers and amanuenses will be provided in libraries, hearings, conferences, meetings, and in other contexts in an expeditious manner.

✍ What agency unit is responsible for ensuring that readers and amanuenses are provided in the agency's programs and activities?

✍ Indicate what policy source includes information on providing amanuenses and readers in agency programs and activities.

✍ Give the date that the policy was established and distributed to staff and give a citation for the policy.

14. *Assistive Listening Devices*

✍ Describe the methods the agency has for ensuring that individuals with hearing impairments who do not read sign language can participate effectively in meetings, conferences, and hearings.

✍ If assistive listening devices are provided, describe the policy for providing assistive listening devices (ALD's) in agency programs and activities.

✍ What agency unit is responsible for providing ALD's in the agency's programs and activities?

✍ Indicate the policy source that includes information about providing ALD's in agency programs and activities.

✍ Give the date that the policy was established and distributed to staff and give a citation for the policy.

15. *Audio-Visual Presentations*

✍ Describe the ways that audio-visual presentations (film, videotape, or television) are used by the agency in its programs and activities.

✍ Indicate if these presentations are captioned and, if they are not, indicate what steps have been taken to ensure that hearing-impaired persons can benefit from these presentations.

✍ Describe the policy for making audio-visual presentations accessible to individuals with handicaps.

✍ Describe agency policy affecting the portrayal of individuals with handicaps in audio-visual presentations.

✍ Indicate the policy source that includes the information about making audio-visual presentations used by the agency accessible to individuals with handicaps.

✍ What agency unit is responsible for ensuring that audio-visual presentations are accessible to individuals with handicaps?

✍ Give the date that the policy was established and distributed to staff and give a citation for the policy.

16. ***Automated Electronic Equipment***

✍ Describe the ways that the agency uses automated electronic equipment, including automated telephone equipment, in its programs and activities.

✍ Describe the steps that have been taken to determine if the automated electronic equipment is accessible to and usable by individuals with handicaps.

✍ What agency unit is responsible for ensuring that automated electronic equipment is accessible to and usable by individuals with handicaps?

✍ Indicate the policy source that includes information about the accessibility of automated electronic equipment to individuals with handicaps.

✍ Give the date the policy was established and distributed to staff and give a citation for the policy.

17. *Emergency Evacuation*

✍ Describe how the agency notifies employees and members of the public of an emergency.

✍ List equipment that is employed to notify individuals with handicaps of an emergency.

✍ What agency unit is responsible for establishing and implementing emergency evacuation procedures?

✍ Indicate what policy source includes information on emergency evacuation procedures.

✍ Give the date that the policy was established and distributed to staff and give a citation for the policy.

18. ***Participation of Individuals with Handicaps and Other Interested Persons in the Self-Evaluation Process***

✍ Describe the ways that individuals with handicaps and other interested persons are involved in the self-evaluation process.

✍ Indicate whether the general public or only selected groups or individuals will be involved in the self-evaluation process.

✍ Indicate how the agency will ensure that comments from persons with a variety of handicapping conditions will be solicited.

✍ Indicate if notice of the availability for comment on the self-evaluation will be published in the *Federal Register*.

✍ What agency unit is responsible for securing comment on the self-evaluation for the agency?

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Improving this document

Please send any recommendations that would improve the usability of these guidelines to:

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